

THE  
*Contract Violated:*  
OR, THE  
HASTY MARRIAGE.

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*Fiat Justitia, & ruat Cælum.*

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By JOHN GOOLE, M. A. Master  
of the Free-School of Witney, and Vicar  
of Eynsham, in the County of Oxford.

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L O N D O N:  
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T O A L L  
L O V E R S  
O F

Truth, Sincerity, *and* Honour,

The following

Unparallel'd C A S E

Is Humbly dedicated

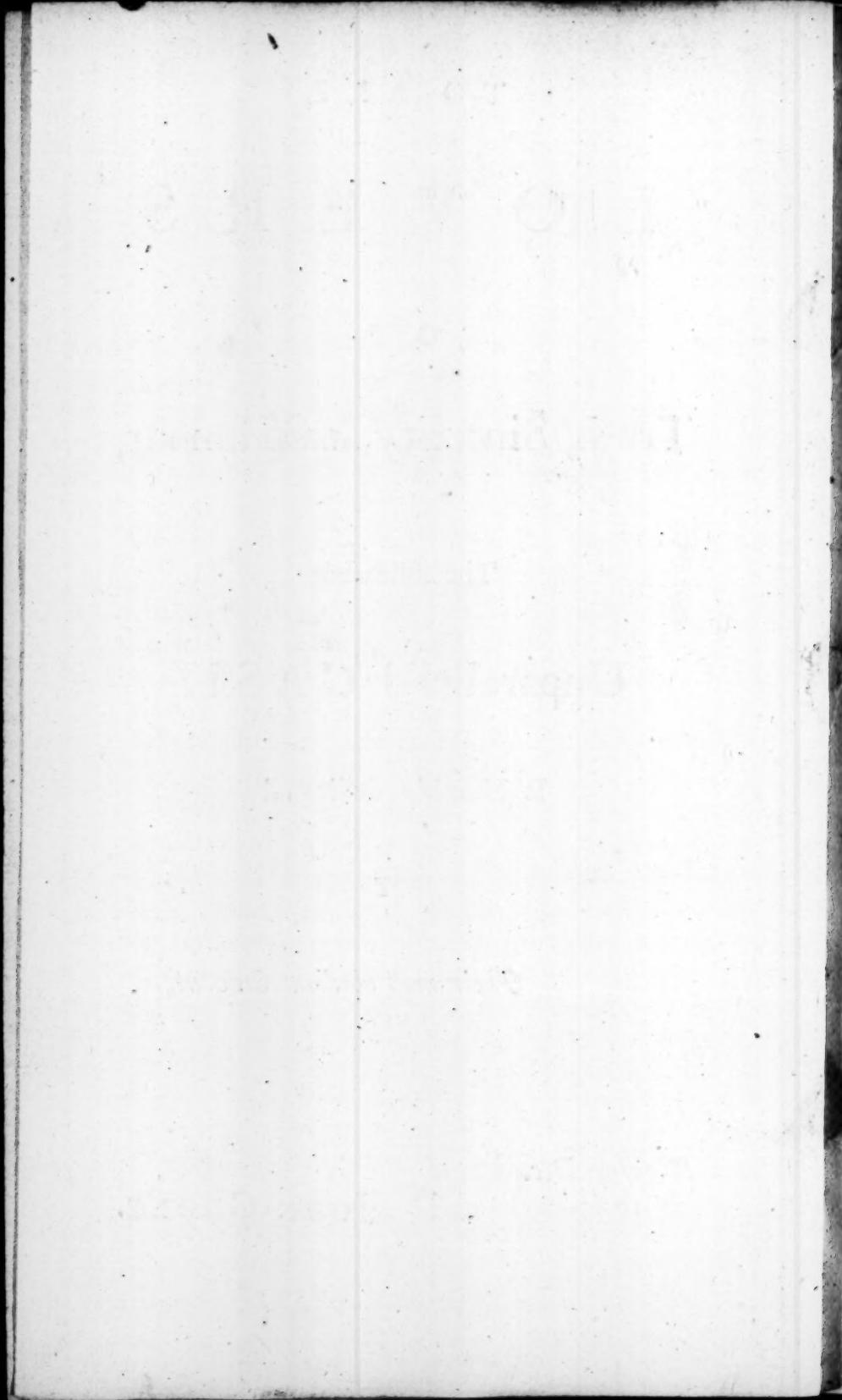
B Y

*Their most obedient Servant,*

Witney, Dec.

1733.

JOHN GOOLE.



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## THE PREFACE.

I HAVE constantly declared, and also sworn, That I cited Miss Hudson into the Court of Arches purely in Obedience to the Dictates of Conscience, and on all Occasions asserted (and am still of the same Opinion) that a Man who has a due Regard to Honour and Conscience has so in every Instance; and, therefore, that I may not be rashly and unjustly censured for publishing the following Case to gratify either Malice or Revenge, I think myself obliged to let the World know every Step I took, before I proceeded to Publication.

As soon as Sentence was pronounced, before I came out of Court, I declared, and upon all Occasions since, that I would publish the Case between Miss Hudson and me, and that I thought myself bound to do it in my own Vindication; and that my frequent and publick De-

clarations should not reach Sir John and Mr. Boyce, seems to me next to an Impossibility. But if they did not,

On Thursday the 26th of July in the Morning, I communicated the following Case, saving some Additions made toward the End of it, to Mr. Wesley, who was so kind as to read it over with me; and in the Afternoon of the same Day I left it with a Gentleman in a high Office in the University of Oxford, an Acquaintance of Sir John Boyce's, and mine; who had it in his Custody till the Monday following; and I permitted Mr. Wesley to acquaint Mr. Boyce, and the other Gentleman Sir John (which he promised me to do the next Day) with as much of the Contents of it as they could remember; and this I did, that they might, upon a proper Application to me, have prevented the Publication of it.

The next Wednesday I was favoured with a Letter from Mr. Wesley, which begins with the following Words.

S I R,

" I Sent Mr. Boyce Word Yesterday, that I  
" was apt to think you were so far from  
" the Desire of Revenge, which he had been  
" informed you every where shewed, that if he  
" could propose any other Way of satisfying that  
" Desire of clearing your Reputation which a  
" Christian ought to have, you would yet  
" desist

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*"desist from your Design of publishing your  
"Case."*

*This Letter I answered the Saturday following, but received no Reply till the 18th of August, when I was favoured with a second Letter from Mr. Wesley, to which I returned a speedy Answer. From the other Gentleman I never yet received Line or Message; and hearing nothing more from Mr. Wesley, on the 11th of September I called upon him, and told him, that I had heard nothing from him since the 18th of August; whereupon he said, "There must have been a Fault in the Witney Post, for I have sent you a third Letter;" and then added, "Mr. Boyce waits for, and desires to see, your Proposals." Whereupon I very hastily wrote a Form of a Testimonial, which I insisted that Mrs. Boyce should sign: I took no Copy of it, and therefore cannot venture to give one; nor would a Copy of it be at all material, since the Words Mrs. Boyce should have signed, had we agreed, here follow; and I believe what I wrote at Mr. Wesley's Chamber, with a Clause I sent him in my last Letter, is very near to the same Effect, and perhaps contained the very same Words.*

*I, Margaret Boyce, lately Hudson, Wife of John Boyce, Esq; of the City of Oxford, do voluntarily and truly testify under my Hand,*

A 4

*that*

that I never received a Copy of a Letter, or a Line of a Letter, from the Rev. Mr. John Goole, Vicar of Eynsham, and Master of the Free-School of Witney, in the County of Oxford, for me to transcribe and remit to him; That Mr. Goole engaged himself to me in the most honourable Manner; That he never asked me to engage myself to him after the 5th of May, 1731. (This was added in Tenderness to Mrs. Boyce, because she has sworn, that I did desire her to engage herself to me on that Day; tho' I here again solemnly affirm and protest, that I never did after the 20th of April); That as soon as I had acquainted him that my Mother would not consent that he should marry me, he offered to quit his Pretensions and to resign me; and, That his whole Behaviour towards me has been according to the strictest Rules of Justice, Fidelity and Honour.

I insisted also, That in Consideration of the Money I am out of Pocket (by reason of Miss Hudson's unparallel'd Falhood) which Mr. Boyce knows to be considerable, and of the Fatigue, the Reproaches, and other Injuries I have suffered on the same Account, I should be paid 300 l.

Those Terms being complied with, I offered to give Mr. Boyce as many Silks, &c. as cost me 100 l. to deliver up the Licence Bond, &c. and to behave myself, in all Respects, in a Christian

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*Christian and Friendly Manner to Mr. Boyce  
and his Wife.*

*From the 11th of September to the 8th of October I heard no more of the Matter, when Mr. Boyce came to me, as I thought to accommodate Matters between us; but, it seems, his Design was insidiously to take Advantage of the civil Treatment he expected, and met with from me; for so he told Mr. Judge of Witney, who accompanied him to my House, almost as soon as he was out of my Doors; and also, that I had shewed the Case to a worthy Gentleman of Bletchington (whom he named) and that I had several times sent for him; which two last Particulars I affirm to be gross Untruths. The exact Honour with which Sir John Boyce had used Mr. Snell, and me through him, ought to have put me upon my Guard against Mr. Boyce, and if it did not, I must suffer for my Weakness; however, I own I did not design he should take any Advantage of my Civility, and I am still of Opinion that he cannot; but, whether I am right in that, or not, Mr. Boyce's Behaviour will demonstrate, that he follows the same Principles with his Father; and mine, that I really and sincerely designed a Friendly Accommodation, and a Christian Reconciliation with him.*

*Mr. Boyce, when with me, declared, That the Licence Bond was good for nothing, for Reasons*

*Reasons perhaps given in the following Case; at least, that Declaration gives me a greater Suspicion, that the Bond is null, only for want of being legally executed. If it was legally executed, I am still of Opinion the Penalty of it is recoverable, because it was granted, upon giving Sentence, That if she (Miss Hudson) had not been married, the Case would have been otherwise, and therefore, tho' it was not adjudged sufficient to set aside a second Marriage, I am humbly of Opinion it will be sufficient to prove the Bond in Force, and to recover the Penalty of it. I shall be well advised before I bring my Action upon the Bond; and to deal more frankly and more kindly by Mr. Boyce, than I have any Reason to think he would do with me, I will, for his Advantage, here add the Query upon which I shall take Advice.*

*Q. Whether, tho' the Evidence given in the Arches, in the Cause between Miss Hudson and me, was not adjudged sufficient to set aside a Second Marriage; it is not nevertheless sufficient to recover the Penalty of the Licence Bond? Because Mrs. Boyce has sworn to every Word and Circumstance of the Contract on both Sides, in such Terms as will demonstrate, that the Contract between her and me was a Contract of the present Time.*

Sir

Sir John and Mr. Boyce have often boasted, That Miss Hudson's Fortune is 8000 l. as perhaps it may; whatever it is, they had it in Possession as soon as Mrs. Hall was dead, and, in a Manner, before any Trouble was begun; and therefore might have been so tender of her as to have complied with any tolerable Proposals, that would have saved Mrs. Boyce, to whom the Father and the Son were so highly obliged, from being exposed in such a Manner, as Sir John very well knew she deserved, as soon as Mr. Allen had acquainted him only with what I had imparted to Mr. Allen; and that they did not, will, I presume, be allowed the greatest Ingratitude in the Father and the Son: But to suffer the Publication of this Case, when they might have prevented it with so small a Part of what was over and above all that Mr. Boyce could ever have pretended to, or hoped for, will, I believe, be universally allowed such an Instance of Sordidness, Stupidity and Ingratitude, as none but they two could have been guilty of, unless she is as sordid as they.

If it was incumbent upon me to insist upon a Vindication of my most injured Reputation, and a Piece of Justice to myself, and no Breach of Charity to others, to require a small Satisfaction for the irreparable Wrongs that have been done me; if what I insisted Mrs. Boyce should sign to clear my Character be every Word of it true (as will, I flatter myself, appear from

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from her Letters and Answers to my Libel: } If  
the following Case shall be thought a much bet-  
ter Vindication of my Character than what I  
would have accepted from Mrs. Boyce; If the  
Things I offered to give Mr. Boyce, the Li-  
cence Bond, and the fair Advantage I hope,  
by the Favour of the Publick, to make of  
this Case, were a valuable Consideration for  
what I demanded, besides those Imputations  
which Sir John, his Son, Mrs. Boyce, and  
their latest Posterity (if I mistake not)  
would have avoided, by complying with my Pro-  
posals; and if I gave Mr. Boyce Time and  
Opportunity to have adjusted Matters between  
us in an amicable Way, then I hope I shall be  
universally excused for taking this Method to  
clear myself from all Suspicion of Ill, whatever  
Consequences may attend those by whom I have  
been so cruelly and unworthily injured.

I have hinted in the following Case, that  
one End I propose by publishing it, is to prevent  
all Secret Contracts for the future; and here,  
to ease Ecclesiastical Courts of the Trouble of  
Causes of Pre-contract, and the Persons, who  
might otherwise bring them before those Courts,  
of the unspeakable Fatigue and the ungentle-  
manlike and unjust Treatment they may expect  
from well-fee'd Advocates and Proctors, I  
will, upon too much Experience, presume to ad-  
vise every Man, to be very cautious how he  
commences

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*commences a Cause, by reason of the Violation, or Non-performance, of a Secret Contract.*

*That a Woman who has broke a Secret Contract of the present Time by entring into a second Marriage, cannot be worthy of the Desires and Affections of any Man of Honour and Virtue, is so plain, that I shall not attempt to prove it; and therefore I advise all Men so injured, provided they can reconcile their Silence to the Laws of Christianity, and quiet their own Consciences, to conceal their Injuries, and bear them as well as they can; because, I am humbly of Opinion, that no Man, in such a Case, can hope to give clearer or stronger Proofs than I did, and yet they were not sufficient.*

*As long as a Woman is willing to perform her Contract, and is restrained from it by Parents or Guardians, or any unlawful Means, it will be ungenerous to cite her into Court, and to expose her Presents and Letters, purely because she would not do what it was impossible for her to do; and such an Action may very justly be resented by her; because it betrays a Distrust of her Veracity and Constancy, a Thing scarce fit to be borne by a Woman, and very rarely, I believe, if ever, to be found in a Man of true Honour and Virtue. And whosoever shall bring an Action of this sort, will, I am persuaded, be very soon convinced of the Imprudence of it, unless he*  
*shall*

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*I* shall prefer his Libel with the Consent of his Mistress, the only Case in which I can think it justifiable.

*If a Woman is unwilling to perform her Contract, she will some Way or other be influenced to qualify her Answers in such a Manner as shall defeat the Action; she will swear, that all was a Jest, as my delicious Lady did, or deny all, or add some Condition which shall spoil the Contract; as a Jewess swore, that she promised her Cousin-German to marry him upon Condition that her Father would consent to it, tho' she was a Widow, and utterly independent of her Father as to her Fortune, and that a very plentiful one.*

*But if the unwilling Woman should swear the whole Truth (which I think it is ten thousand to one that she will not) and a Man should obtain a Sentence in Favour of his Contract, he will, in my Opinion be no great Gainer thereby, because the Law, if I mistake not, will not oblige her to marry him, but only restrain them both from marrying elsewhere so long as both shall live; and therefore it can, I think, at no Time be prudent for a Man to enter into a Secret Contract, or to cite a Woman into Court for a Violation, or Non-performance of a Secret Contract. The Man indeed who shall, in Case of a Violation of a Contract of the present Time, think fit to conceal his Injuries, ought,*

ought, in my Opinion, never to marry as long as the wicked and false Woman shall live.

All that I have said in relation to a false Woman, that I may not be thought partial to my own Sex, I would have extended to a base and false Man.

How far the Gentleman who married Miss Hudson, and the Surrogate have ventured to oblige the Boyces, the following Case will shew; and I submit it to the Publick, whether in Gratitude and Tenderness to those Gentlemen only, this Publication ought not to have been prevented, tko' upon harder Terms than it might have been.

If the impartial Reader, making Allowances for the Injuries and Affronts which have been heaped upon me, shall discover nothing in the following Apology unbecoming a Man of Honour, a Christian, or a Clergyman, then a certain Gentleman may, perhaps, think he has acted over hastily in enjoying the Booksellers in Oxford, neither to sell, nor to be any way concerned in disposing of it; and this not only before it was published, but also before it was advertised. Had this Reverend and Learned Gentleman thought fit to tell me that he would not suffer my Defence to be sold in Oxford, when he refused to let me print it there, he would neither have laid me under the Necessity of reprinting the Title-Sheet, nor have put himself to the Trouble of sending his Commands to the

*the Booksellers: Nay, had he by Line or Message signified to me, that he was resolved not to suffer the Book to be sold in Oxford, I would have submitted without a Complaint. I do not now think proper to expostulate with this arbitrary Gentleman for his Treatment of me; but since he has thought fit to be so indulgent to the Boyces, I presume he will be willing to favour them yet more; and that he may, I desire him to explain the following Expression to them; and, if it will be of any Service to him, he may also make his Advantage of it:*

Perditissimi hominis est eum lädere qui  
non læsus effet, nisi credidisset.

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THE  
*Contract Violated:*  
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HASTY MARRIAGE.

THE tender Regard that all Men of Honour and Probity ever entertain for their Good-Names, and the warm Resentments they express upon any unjust Attack made upon them, will (I flatter myself) incline all such to give a candid Reception to the following Case, and readily to pardon the most injured Author, for exposing to the World all he presumes necessary to vindicate himself from those many undeserved, and therefore unjust, Reflections, which have been cast upon him, by reason of his addressing himself to, and entring into a Contract of Marriage with, Mrs. *Margaret Hudson*; by a Sentence of the Right Worshipful Dr. *John Bettefworth*, Dean of the Arches Court of Canterbury, lately pronounced to be the Wife of *John Boyce Esq*; Son of Sir *John Boyce*, \* Knight, of the City of Oxford.

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\* Knighted at the last Coronation, as Mayor of Oxford.

## 2. *The C O N T R A C T Violated:*

On the Second of *November*, 1729, my very good Wife died, and the next *Easter* I addressed myself to Miss *Hudson*, with which she then seemed very well pleased; but on the Twenty-ninth of *May* following, meeting her accidentally in *Eynsham-street*, I paid my Respects to her; and observing her to look shy upon me, which she had never done before, I said to her, "What's the matter with you? I want to speak with you." To which she replied scornfully, "Speak with me!" and turning her Back upon me, went away. And from that Time to the *Good-Friday* following, I never addressed myself to her directly or indirectly.

This I mention to shew, that a slight Neglect was sufficient to free her from any Importance from me; and also to give Light to the following Expression in her Letter of *June* the 24th: *Nay, when I thought you had left me, and tho' I was exceedingly vexed with you, yet it did not last long, for my Love was stronger than my Anger.*

On *Lady-Day*, 1731, waiting at *Eynsham* to bury a Corpse, I went to Mrs. *Hall's*; and, after the usual Salutations, the following Dialogue passed between Mrs. *Hall*, Miss *Hudson*, and me.

J. G. Well, Miss, I suppose we shall soon have you married, now you are almost of Age.

M. *Hudson*. Of Age, Sir! I am not 19 yet.

J. G.

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J. G. But I am sure you will be of Age on your next Birth-Day, unless Dr. *Hall* writes Lyes; for he saith, Dr. *Hudson* died November the 27th, 1719, and left behind him an only Daughter, *Nine Years old*, very ingenious and very pretty; and if I can count so far, twelve and nine make one and twenty.

[*Tandem anno 1719, die 27° Novembris, post diutinum languorem, magno literarum damno, hydrope extinctus est. Uxorem duxit Margaretam, filiam D. Roberti Harrisonis Equitis Aurati; ex quā progenuit filiolam unicam itidem Margaretam, puellulam novem annorum formā atq; indole eximiam. Dr. Hall's Preface to Dr. Hudson's Josephus.*] ]

M. *Hall*. Sure Dr. *Hall* could not write so, for she is not Nineteen yet.

J. G. Madam, I insist upon it.

M. *Hudson*. Well, I can tell, for I have my Age down in my Pappa's Bible, in my Pappa's Hand.

J. G. Come, to the Book, Miss. And so we went all three into the House (for before we were walking in the Garden) and Miss *Hudson* taking down the Bible, perfused it, and offering it to me, said, "Look you "there, Sit!" I immediately read as followeth, *Margaret*, the Daughter of *John Hudson*, D. D. was born at Two a Clock in

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the Afternoon, *July* (so far in Words) the 24th, 1712. (in Figures). This surprized me; and Miss *Hudson*, I suppose, observing it, said again, "Look you there, Sir!" but upon a closer Observation I said, "Come hither, Miss, here has been foul Play; this Figure of 2, was originally a Cypher, and so it agrees with Dr. *Hall's* Account." And the Alteration appearing very plain, Miss *Hudson* looked very earnestly upon her Mother; whereupon Mrs. *Hall* took the Bible, and after she had examined it, said, "She (meaning her Daughter) must have altered it herself:" To which Miss *Hudson*, with some Quickness, replied, "No, Mamma, indeed I did not alter it;" and upon that Answer Mrs. *Hall* seemed very much confounded.

For these Reasons, I was fully of Opinion, at the Time of the Contract, that Miss *Hudson* would be of Age the next Month; and, tho' I own her Baptism is registered on *August* the Second, 1711, I am so still. If it be asked, why she was kept above a Year before she was brought to Church? I will answer that Question, when any Man will give me a Reason, why Dr. *Hall*, who was of Dr. *Hudson's* intimate Acquaintance before Miss *Hudson* was born, and married his Widow after his Decease, should write, that she was Nine Years old at her Father's Death, if he did not actually know her to be so? And also,

also, why Dr. *Hudson* should write that she was born on the 24th of *July*, 1710, which it is to be supposed he did soon after she was born, if she was not really born on that Day? And I challenge Mrs. *Boyce* to produce the Bible, and then deny one Tittle of this Relation.

And, to bring together all I think proper to say concerning Miss *Hudson*'s Age, soon after I had, at her Request, waited upon her upon the Fifth of *May*, I wrote to the Rev. Mr. *Thomas Wilson*, Fellow of *Baliol College* in *Oxford*, to consult the Register; who immediately informed me, by a Letter which I sent to Miss *Hudson*, that she was baptized *August 2, 1710*. Upon Mr. \* *Whitehead's* informing Mrs. *Hall*, that her Daughter was baptized *August, 1711*, I went myself to *Oxford*, and, at my Request, Mr. *Wilson* again consulted the Register, and gave me a Certificate, under which I wrote, and sent it to Miss *Hudson*, importing, that by the Register of St. *Peter's* in *Oxford* it did appear, that Miss *Hudson* was baptized *August the Second, 1710*; and that Letter Mrs. *Boyce*, or some of her Agents, have still in their keeping. And when it was confidently reported that Miss *Hudson*, about the Time of her Marriage, was not Twenty Years old, Mr. *Wilson* again consulted the Register, and finding his Mis-

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\* See Let. 15.

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take, informed me of it; and will now own, that it was only his Mistake, whatever Reflections may have been cast upon me for it.

On the *Good-Friday* following, between Morning and Evening Prayer, I went again to Mrs. *Hall's*, and Miss *Hudson* immediately ran to meet me, unlocked the Parlour Door, went before me into the Middle of the Room, and turning round, smiled upon me in a most inviting manner: Thus encouraged, I renewed my Addresses, to which she listened with great Pleasure, 'till Mrs. *Hall* came to us; who also expressed a great Satisfaction at my Visit; and all that passed, as I thought then, was very agreeable to us all. On *Easter-Day*, in the Afternoon, I went again, and heard Miss *Hudson* sing several Anthems to her Spinet, Mrs. *Hall* being all the while present; and having then promised Mrs. *Hall* to procure her a Certificate, signed by the Church-wardens of *Eynsham* and myself, on *Monday* Morning I went again, and wrote it upon Miss *Hudson's* Knee, in the Presence of her Mother. At Six in the Evening the next Day, as I had desired her, Miss *Hudson* met me at the End of her Mother's Close; I was on Horseback, and thinking not fit to alight, because there was a Boy near us, I stooped down to her, and then asked her to make me a Promise, which she very willingly did, with this Reservation, viz. As far as it was in her Power. And that was

*the*

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the only Time I ever asked her to make me a Promise, or to engage herself to me. On Friday in the Easter Week I went again to Mrs. Hall's, and fearing I should not have an Opportunity to speak with Miss Hudson, I brought a Letter, and put it into her own Hand; in which I desired her to meet me at my Orchard-Wall on Sunday Morning, which she did, and then I put another Letter into her Hand; which are the two Letters pleaded in the second Article of my Libel. On the 5th of May I went to Eynsham, hoping to see or hear from her; and there I received her first Letter, and forthwith waited upon her: She received me with very great \* Civility; and after I had paid my Respects to her, and thanked her for her kind Letter, the following Words passed between us.

J. G. Dear Miss! what had I done to deserve the Slight you put upon me on the 29th of May? And what was the Cause of it?

M. H. It was Jealousy, dear Sir!

J. G. Jealousy! I thought I had sufficiently guarded you against that.

M. H. It shall be so no more.

J. G. Well, then, I presume you now design to make yourself mine.

M. H. Yes; or I would not have sent for you.

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\* See Libel, Art. 3, and the Answers to it.

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Whereupon I immediately kneeled upon my Right Knee, and said, " Dear Miss ! I " here solemnly, in the Prefence of God, " engage myself to you : You shall not now " engage yourself to me ; you shall take " your own Time for it." And then she took me up with both her Hands, and said, " It is all one as if I had." As soon as I rose, I returned her Thanks for that kind Declaration, and said, " If you were to engage " yourself to me while you are under Age, " I do not know whether it would be of " any Force in Law." But I did not then, nor any Time after that, desire her to engage herself to me ; nor did I ever express or insinuate to her, that whatever she wrote or said while she was under Age, would signify nothing, or to to that Effect, as she has since sworn. Afterwards we entertained each other for near two Hours with great Complacency ; and before I left her, I desired her to \* found her Mother, and to discover whether she would consent that I should marry her.

From that Time she sought all Opportunities to meet me, and actually met me three or four times ; and the last time, against my Judgment, and unasked, in Eynsham Field, as several of the Inhabitants can testify. On the 12th of May I received her second Let-

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\* See Libel Art. 4. and Ans.

ter, and in my Answer to it, I desired to \* resign her, and to quit all my Pretensions; which she would not † suffer me to do. On Thursday the 20th, I went to *Eynsham* to visit a sick Person, and saw Mrs. *Hall* and Miss *Hudson* in the Summer-House towards the Street as I rode by; and soon after *John Pentycross* came to me, and told me, that Miss *Hudson* had appointed to meet me at his House between Eight and Nine in the Evening, where I waited for her till after Nine a Clock, and did not see her: But she came over the Wall soon after I was gone, and expressed great Sorrow for having ‡ disappointed me.

On the 29th of *May*, when I always officiate at *Eynsham*, *Pentycross* delivered me her fifth Letter there; and, according to her || Request in it, I waited upon her the next *Tuesday Night*, being the First of *June*, and staid with her till Two in the Morning. Before we parted, she desired to see me again as soon as might be; and on *Thursday Night*, after I had been at *Oxford* and bought the Ring, I waited upon her again; and then she tried the Ring, and not on the 10th. I staid with her again till Two in the Morning, and we then agreed that I should make my next Visit the 10th of *June*, being *Thursday* in the *Whitsun-Week*; but being informed by Pen-

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\* See Lib. Art. 6. and Ans.

† See Let. 3.

‡ See Let. 4. Pent. Dep. 5.

|| See Let. 5.

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*Pentycross*, as soon as I parted from her, that the Watch would walk about the Town every Night that Week, I sent her a Letter the next Day, in which I informed her of my safe and private Return home, and of the Danger of our being discovered, should I wait upon her as we had agreed; and on the *Monday* following, I received her sixth \* Letter; which, being so very frank and affectionate, made me very desirous of paying her my most grateful Acknowledgments for it in Person, as soon as safely I could. The next Day I sent her Part of an Answer to it (being not able, as I thought, to croud a full and proper one into one Letter) and as soon as I delivered it to *Pentycross*, I ordered him to meet me at *Eynsham* Mill the next *Thursday*, at Twelve a Clock, which he did; and then told me, that I might, without any Danger, wait upon Miss *Hudson* that Night, because the Watch generally took up their Stand under the School-House before our Time of meeting. Thereupon I gave him a Letter for her, in which I acquainted her, that I would wait upon her at Eleven; and at that Hour, or soon after, I was with her.

After as kind a Reception and Entertainment as she could give, or I desire, she said to me, † “ Dear Sir, you have engaged yourself “ to me in the most honourable Manner that

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\* See Let. 6.

† See Libel, Art. 10.

ever

" ever Gentleman engaged himself to  
" his Mistress, and I think 'tis time for  
" me to engage myself to you : " (This  
she denies in her Answer, but had I been  
allowed my Oath, I would have sworn  
it). To which I replied, " My Dear, tho' I  
" was resolv'd never to pres' you to it, yet  
" you may assure yourself I shall accept of  
" it with great Joy and Gratitude; and, if  
" you approve of it, I know no Method  
" more *binding*, or more *sacred*, than the  
" Office of the Church, which I am sure I  
" can repeat : " (This I said on purpose to  
caution her of the Consequence of what we  
were going to do). To which she replied,  
" With all my Heart." I then asked her,  
Whether there was any thing between Mr.  
*Boyce* and her? And she answered me, " That  
" she had had nothing to say to him for  
" above a Twelvemonth." Whereupon I said  
to her, " Rise then my Dear," (for she was  
then sitting upon my Right Knee in the  
Window, in her Mother's Parlour) which  
she immediately did; and to contract ourselves  
with as much Seriousness and Solemnity as  
might be, I rose too; and both standing, we  
contracted ourselves in the Manner set forth  
in the 11th Article of my Libel; and when  
we had done, I said to her, " Now, my  
" Dear, you are my Wife, as much as ever  
" you can be, in the Presence of God." To  
which she answered, " Yes, I designed it so,  
" or

12 *The Contract Violated:*

" or I would not have done it." And there-upon she immediately threw both her Arms about my Neck, and pressed my Face to her's for a considerable Time. And every Time I waited upon her afterwards (as I did on the 14th, the 18th, the 22d, the 24th, and the 27th of *June*) as soon as she saw me, she took me about the Neck with one or both her Arms, pressed my Face to her's, and kissed me as long as her Breath would last, and then led me to a Seat, and generally to a wrought Elbow Chair; and as soon as I sat down, immediately, and unasked, she sat in my Lap, and caressed me with the utmost Earnestness and Complacency; which I did not then think she would have done, had she not really and seriously thought herself my Wife.

And when Mrs. *Boyce* shall *only* consider in what Manner Miss *Hudson* caressed me, renewed and confirmed all her Vows and Promises near Midnight, on the 27th of *June* (the last Time I was with her) after she had that Day publickly (not privately, as has been reported) in the Parish Church of *Eynsham*, received the Blessed Sacrament from my Hands, she may, perhaps, entertain a due Sense of her Actions, and escape to a sincere and deep Repentance; to bring her to which, is one Design in publishing this Account.

On the 24th, after I had acquainted her that I should go for *London* on the 29th, I offered

to

to make her another Visit on the *Monday* following; to which she replied, "No, my dear  
" Love, I shall not be easy, should you, af-  
" ter sitting up the whole Night, begin your  
" Journey; and therefore pray let me see  
" you on *Sunday*, and then you will have a  
" Night's Rest before you set out.

I was ever of Opinion, that to publish and brag of Womens Favours, how small soever, argues an intolerable Pride and Baseness of Spirit; but nevertheless, I doubt not but the most severe Exacter of Honour, will pardon me for revealing those I received from Miss *Hudson*; especially when it shall be considered, that it was incumbent upon me to shew that she was in Earnest, and that she had given me all imaginable Reasons to think so; and I presumed, nothing would more clearly evince those two Things, than the Caresses here set forth. Her Marriage with another while she \* corresponded with me, and this without finding the least Fault with, or demurring to, any Word or Action of mine, is such Treatment, as will, I presume, warrant my Behaviour in this Particular, and the severest Usage she can receive from me, that shall be *consistent with Truth*.

Knowing very well the Violence, and the Baseness of Mrs. *Hall*, and being very apprehensive of what she might do during my

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\* See *Pent. Dep.* 10. *Art.* 22, and *Answers.*

14 *The CONTRACT Violated:*

Stay in *London*, I thought it proper to caution Miss *Hudson* against every Attempt that might be made upon her to my Prejudice, and her Infamy ; and I gave her five Guineas (and offered her more) which she accepted, to hire a Chariot to bring her to me, should her Mother, in my Absence, force her from *Eynsham*: And to put me out of all my Fears, in our last Conversation, she promised me, if possible, to get \* away from her Mother while I was at *London*; and, if she could not avoid a Discovery of our Love, that she would actually declare to her Mother, and all her Relations, that she was my Wife, in what Manner we were contracted, and that she would go no whither from *Eynsham* but to me, or by my Advice.

That I had received extraordinary Care-ses from her, will, I presume, appear from her Letter of the 24th of June, wherein she owns, *I had intreated her in my last not to love me too well*. I must certainly have had some Reason for that Request; the first of the sort, I believe, that ever was offered by a Gentleman who thought himself only a Lover, or answered in the same Manner by an ingenious Gentlewoman, who deemed herself less than a Wife; and what could that be? But the Knowledge of our Contract, and the most endearing Professions and Actions (such

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\* See Let. 10. Lib. Art. 15, and Answers.

as are here set forth) consequent upon it ; such as might well incline me to believe that her Life was wrapped up in mine. And a generous and tender Regard for her Happiness, was the sole Cause of that uncommon Petition : I was indeed very desirous, that even my Death, had it pleased God in his Mercy then to have put an End to my Days, should have been very little or no Interruption to her Peace.

And here I cannot but with great Horror reflect upon Mrs. Boyce's Vileness, and the Baseness of those in whose Power she was, if they deluded or terrified her to it, in swearing, that *she apprehended the Contract to be in \* Jest*; since in the same Breath, in a manner, she swears, what seems to me a manifest Contradiction to that Part of her Oath, *viz.* That she said the Words *Love, Honour and Obey should be in*; of which, sure, there was no need, if she apprehended the Contract to be a Jest : But if she was most seriously in Earnest (as she most certainly was, or sure she would not have repeated all that she had said before, purely to insert those Words) then indeed it was necessary, or at least proper, that those Words should be in.

If after so solemn an Engagement or Contract, every Word and Circumstance whereof Mrs. Boyce has confessed upon Oath ; if after a serious and devout Invocation of the ador-

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\* Lib. Art. 10, 11, 12, and Answers.

16 *The CONTRACT Violated:*

able Trinity, when it is manifest the sad Circumstances she had brought herself into, prompted her to swear that all was a Jest; and that in that Part of her Oath she swore in her own Favour, she is to be believed; there is an End of all Faith, and Truth, and Honour between Man and Woman. And should any one, after the Perusal of her subsequent Letters, be so credulous as to believe she was in Jest, he must nevertheless allow, that she could have done no more than she did to persuade me, that she was heartily and sincerely in earnest. Had her Advocates and Proctor thought the Contract a Jest, they would have alledged it to have been so, and prayed my Answer to that material Particular; which, since they did not, it is plain that even they thought the Contract was entered into seriously and in earnest. And if there are *two* Men living who can believe that Miss *Hudson* was in Jest when she entered into the Contract, or for a considerable Time after it, I would gladly be informed, how any Man can ever be able to know when a Woman is in Earnest.

Though Mrs. *Boyce* denies, that Miss *Hudson* offered the Contract, and that I had cautioned her of the Nature of it, by telling her, that *I knew nothing more binding, or more sacred, than the Office of the Church*, yet she does not swear, that at the Time of the Contract I importuned, or so much as asked her

to

to engage herself to me; which, had it been true, she would most certainly have done; and therefore I submit it to all impartial Judges, whether that is not a silent Confession that *she offered the Contract*; for the first Proposal of it must have come from one of us, and she does not suggest that it came from me. Since she neither swears nor insinuates that I allured or importuned her to the Contract, it is plain I had no Design to lead or ensnare her into it, as was falsely and unmannerly suggested at the Trial by Dr. *Paul*, and by him alone, for which Reason, had *I desired him to wash his foul Mouth*, I cannot think I should have requested any thing of him unjust, uncivil, or impertinent. Besides, Miss *Hudson* had me fast before, and therefore could design nothing by the Contract but to bind herself; and, tho' she swears that she replied laughing (smiling I own) " O Dear Sir! " how came you to leave out those Words? " I can scarce think, that he who has the meanest Opinion of me can deem me so utterly void of Sense and Conscience, as to suffer such an Action to be done in a ludicrous Manner, and to take that for a Contract, which I could not but have observed to have been a Jest, had it been so." She seemed not only serious, but devout through the whole Performance, saving the Smile, and to such a Degree, that I much question,

18 *The CONTRACT Violated* :

whether she thought herself more in earnest  
in Cowley Church.

Mrs. Boyce swears, that she subscribed her self \* Spouse, at my Request; was that true, it must be supposed that I had a particular Reason for that Request, and she for granting it (for, whatsoever she has made herself, God made her not a Fool) and what could that be but our Contract? But the real Truth is, on the 14th of June I tenderly expostulated with her, because she had not signed herself my Spouse in the Letter of the 12th, and insisted, that, since she knew herself to be my Spouse, she ought to write herself so; and how obedient she was in that Particular, her subsequent Letters shew.

Though Miss Hudson had subscribed herself Spouse at my Request, yet she does not swear or insinuate, that I desired her to add to that, dutiful; or to confess, that *she owed Obedience to my Commands*; or, that *she was in Duty bound to behave herself as became my dutiful Spouse*; which Expressions are to be found in her Letters of the 19th and 24th of June, and clearly shew, that at the Date of those Letters, she really and seriously thought herself my Spouse; and she could think so for no other Reason, but because she knew she had laid herself under the most binding and fa-

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\* See Libel, Art. 13. Ans.

cried Engagements, and contracted herself to me in the most serious and solemn Manner.

Mrs. *Boyce* swears, that she apprehended the Contract to be in jest, because I had told her *before* (not at the Time of the Contract) that I could not marry her till she was of Age (that I told her so I own) and that whatever she wrote or said to me while she was under Age would signify nothing; (this I deny): from which I observe, that her endeavouring to make me believe that she was most seriously in earnest in all that she said, did, and wrote, if she was not really so, betrays such an inexcusable Falseness, unparalleled Baseness, and abandoned Perfidiousness, as none but the vilest and most abject Creatures upon Earth can be guilty of; and which even they, till convicted, will not own; and then generally not without Shame and Confusion, and the universal Abhorrence of all Persons of Probity, or Honour, or even common Honesty.

And now I solemnly profess, "That I had never heard of the Distinction between a Contract of the present Time, and a Contract of the future; That I did not know it was possible for Persons to contract themselves indissolubly in private; nor, That the Contract entered into by Miss *Hudson* and me was of any Force in Law, till at least two Months (according to my best Remembrance) after Miss *Hudson* was married to Mr. *Boyce*. To

20 *The CONTRACT Violated:*

prove which, I offer, that I burnt the Letters which Miss *Hudson* had \* returned me on the *Thursday* after her Marriage; which would have been of great Service to me, both at Common-Law and in the Arches, had I then had any Thoughts of seeking Redress either Way. I own I was then under great Confusion, and thinking every Letter a Reproach to me, *not that there was one Expression in them all, which I would not have trusted to the severest and most spiteful Examination*, I therefore rashly burnt them. Seven or eight of my last Letters, and those not written with so much Care as those I destroyed, are still in the Custody of my Enemies; one of which they durst not produce, which their *industrious*, and, I hope, *fruitless Endeavours* to blacken me, readily would have prompted them to have done, had there been any Word or Expression faulty, offensive, or indecent, in any one of them.

Though I knew not that the Contract was of any Force in Law, yet in Honour, in Conscience, and in the Presence of God, I thought it a most binding and sacred Engagement, and designed it so; so sacred and obligatory, that I had not the least Fear, that any Threats or Delusion could ever have prevailed upon Miss *Hudson* to violate it: So fully did I de-

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\* See Let. 13.

*Or, The Hasty Marriage.* 21

pend upon her Faith and Honour, that (tho' it was reported she was married on the 29th, and a Maid-Servant of Sir John Boyce's told me so, with the utmost Confusion, and the most manifest Signs of Guilt, at *Barton*, on the 30th) on the 31st of July I sent Mrs. *Hall* the following Letter, by *John Penticross*.

*To Mrs. H A L L.*

*Madam,*

THE Purity, the Honour, and the Earnestness of that Affection, which is between my dearest, my most valued Spouse and me, and the vast Debt of Gratitude I owe your incomparable Daughter, constrain me to acquaint you, That if you do not speedily bring us together, you will, at least, hazard the Life of both. Mine is, at present, dubious, for I can neither eat nor sleep; and, should I die, I think she could not live; I am sure she would not \* choose it. And therefore I exhort, and, as your Spiritual Governor, I might command, you to weigh well how you will be able to appear at the Great Judgment, attended by two such Trophies. For the Sincerity and Honour of my Affection, I appeal to the great Searcher of Hearts, and to my Dear; and to convince

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\* See Let. 9.

you

22. *The CONTRACT Violated:*

you of hers, I send you some of those gracious Expressions I have been favoured with in her Letters; and those I adjure you to communicate to no Body but the dear Delight of my Soul. The Date of each Letter you will have after each Expression.

[*The Expressions I sent to Mrs. Hall are in Italicks in her 2d, 3d, 4th, 5th, 6th and 8th Letters.*] ]

These are some of those gracious Expressions I have been favoured with from my most revered Angel; and, tho' I have many more, yet, if your Heart is not relentless as a Rock, these must move you: However, the communicating of them is the last Struggle of an honourable and grateful Soul to save two Lives. Madam, have a care how you incur the heavy Guilt of innocent Blood. I wish that pathetical Lamentation of Holy *David* for *Saul* and *Jonathan*, may not be applyed to my Dearest and me, *They were lovely and sweet in their Lives, and in their Death they were not divided.* For my own Part, you have used me so \* unjustly, and so cruelly, that I would not owe even my Life to you, were it not for her Sake, to whom, I know, and you may now see, 'tis much more dear, than to myself.

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\* See Let. 5.

I intreat,

I intreat, I conjure you to present my most affectionate Respects to the only Object I shall ever value in this World; and tell her, that all that Clamour, which your Management with Messieurs *Boyee*, *Bunce* and *Wassie*, has brought upon her, has not raised one disloyal or suspicious Thought of her in my Soul; tell her, I know her honourable, good and faithful; and that I will sooner disbelieve all my Senses, than believe she can be false.

You see, Madam, that I am farther indebted to my Love than Words can well express; and that a whole Life of the sincerest Tenderness, the most humble Gratitude, and the most exalted Respect, will not discharge those Obligations I owe my lovely Charmer: And therefore you will excuse me for being very importunate with you, not only to take Pity on her, but to forbear all harsh Treatment, and harsh Expressions, and to restore her to that Freedom, that Peace, and that Tranquillity which she so richly deserves; and to deprive her of any one of them would, I own, in me be Rebellion against God; and, I think, it is not much less heinous in you.

Though my Dearest's \* Declaration to you, That she was inseparably engaged to me, and my own honest Intention, with my earnest Desires for her Happiness, will well

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\* See Let. 16.

24 *The CONTRACT Violated:*

excuse me for trusting her affectionate and engaging Expressions to your Eye; pray tell her, I ask her Pardon for it.

Methinks, my innocent Dove and I are treated like two Felons, kept asunder, and separately examined, to extort something out of us to our Prejudice, to the taking away of both our Lives; and therefore, I conjure you, Madam, to use no Double Dealing, to tell her nothing that I have not said, to press nothing upon her that is not strictly true, and to shew her this; not that I have the least Fear that any Arts can lodge one disloyal Thought of me in her pious and heavenly Mind.

And now, Madam, I can only commend my Dearest to the Divine Mercy, and intreat my gracious heavenly Father to direct you to make her happy, whatever becomes of me. I chearfully submit myself to God's gracious Providence, which has hitherto watched over me for Good, and in his Presence declare to you, that you have made me the most disconsolate Man living. I am,

M A D A M,

*Witney, Your most humble Servant,*

*July 31, 1731.*

J. GOOLE.

I have kept a Copy of this to prevent Mistakes, should any arise, and that no injurious Use may be made of it.

I hope

I hope the candid Reader will excuse all the Faults he shall observe in this Letter, by reason of the almost inexpressible Concern I was then under; not so much on my own, as Miss *Hudson's* Account, who, I thought, was then confined, and suffering all the Insults of a vile, furious, and unnatural Mother, for my Sake.

To such a Height had Miss *Hudson* raised my Opinion of her Sincerity, and Confidence in her Honour and Veracity (which, I believe, no one will think she could have done by a Jest) that though her Mother ordered the Bells to ring for her Marriage with Mr. *Boyce* the *Sunday* Morning following, to welcome me at my coming to *Eynsham*; and tho' I was told, that one *Wilkins* a Carpenter, then at *Eynsham*, had affirmed, that he was in *Cowley* Church while she was married (as he really was) I would give no Credit to it; but answered, "If Mrs. *Hall*, and every one that said she was married, would swear she was, "I would give no Credit to them." And the *Tuesday* following, when Mr. *Allen*, of whose Honour and Veracity I had then a great Opinion, had thrice affirmed, that he had married her, I would not believe him. I was indeed very glad, that she had voluntarily, in so sacred a Manner, engaged herself to me, but she had before given me so many Assurances of the most earnest, sincere, and disinterested Affection, and in Methods so seemingly

## 26 The C O N T R A C T *Violated*:

ingly void of all Guile and Deceit, that I solemnly declare my Confidence in her was but very little heighten'd by the Contract.

And here I think proper to take Notice of the following Objection, made by Dr. *Paul* at the Trial, *viz.* That I ought to have bestirred myself after Miss *Hudson* had informed me, on the 15th of *July*, that Mrs. *Hall* had made a \* Bargain for her with Sir *John Boyce*. To which I answer, That had I then done any thing to prevent what I never dreamt of, nor suspected, nor thought so much as possible, Miss *Hudson* might very justly have complained of such Treatment, and I should have been condemned by her, and all Gentlewomen in general, and by myself too. The Letters she sent me after that Time, and the Assurances she gave me in them, would not give me leave to suspect her Constancy; nay farther, I solemnly profess, that I had not the least Distrust of her, till Mr. *Allen* had, *with some Warmth*, the fourth time assured me, that he had married her. But I will do Dr. *Paul* the Justice to confess, that I think he spoke this with Sincerity, and that he, had he been in my Place, would have done what he blamed me for having omitted.

Should it be urged farther, That I ought to have put in my Claim as soon as I had receiv'd her last Letter, at least as soon as I heard she

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\* See Let. 13.

was gone to Oxford; I reply, I was very sensible, as soon as I had read that Letter, that it was dictated by her Mother, because she sent for *John Penticross* to her Mother's House, and there delivered it to him, as well as from the Difference of the Stile and Address: But when he received that Letter from her, he delivered her three from me, one of the 23d, in Answer to hers of the same Date; one of the 24th, occasioned by Mrs. Hall's refusing to let me speak with Miss Hudson on that Day, tho' in other Respects she was pretty civil; and another of the 25th of July, and at the same time this Message, "My Master sends you his most humble Respects, " and desires you to be ~~som~~ easy, and all will be <sup>soon</sup> well." To which she immediately replied, " Give my dear Respects to my Spouse, bid " him be easy, and I will be so;" and then told him, that she should go to Oxford on the Morrow, and not return till Thursday, and bade him attend her all that Day, either to bring \* her, or farther Instructions to me. By which it appears, that she continued her Correspondence with me till after the Time of her Marriage with Mr. Boyce, and therefore I could not in Honour stir till the Time fixed for her coming to *Penticross* was out. If I had, I should have drawn upon me the Re-

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\* See Pent. Dep. 10. Lib. Art. 24. and Ans.

sentments

28 *The C O N T R A C T Violated:*

sentments of all Gentlewomen; they might, and doubtless would, have said, "To doubt  
" her after such Promises, would have shew-  
" ed the worst Ingratitude; to have dis-  
" trusted her, would have betrayed the  
" basest Infidelity;" and, which would have  
been more grievous to me, I must myself  
have allowed the Justice of those Accusations.

That Miss *Hudson* fell in Love with me appears from her Letters of the 7th and 24th of June, and therefore there could be no *Guile* in me before the Beginning of *her Affection*; and how far she was beguiled by me afterwards, let the following Particulars shew; the Truth of which, I hope, Mrs. *Boyce* is not so hardened as to deny.

That I promised to make her a most endearing and tender Husband, and to treat her with the utmost Gratitude and Respect; and that I made these Promises as in the Presence of God, and still think myself accountable to him for the Sincerity of them, I readily own. But I never pretended, that my Fortune or Person deserved hers; nor did I lessen my Age to her one Day; no, not after I had objected to our Difference in Years: I promised to settle her whole Fortune upon her, as she should \* direct, and to cloath her very genteely for her Wedding. I never

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\* See Let. 2.

magnified my Income to her (as may in some Measure appear from the Conclusion of her third Letter) nor promised her so much as I would instantly have performed.

It may be objected here, that I knew \* Mrs. *Hall* would never consent that I should marry her Daughter; and, perhaps farther, that my offering thereupon to *resign her*, and to *quit all my Pretensions*, was not sufficient; but that a Man of Honour and Probity, and I more especially, as Vicar of *Eynsham*, ought instantly to have broke with Miss *Hudson*, notwithstanding any Importance from her to the contrary; and to have advised her never to think of marrying me, or any other Man, without her Mother's Consent.

I will not plead in Alleviation of this Omission, if it was an Omission, that the Agreeableness of Miss *Hudson*'s Person, the Sweetness of her Temper, the Brightness of her Parts, the seemingly undisguised Earnestness of her Love, and the devout Sincerity and Intenseness of my own, were what, perhaps, very few could have resisted: But I insist, that she could have been no Sufferer in her Fortune by her Mother's Displeasure: That I did not design to marry her till she should be of Age: That I knew I should bring her to a better and more reputable Way

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\* See Let. 2. Lib. Art. 5. and Ans.

30 *The C O N T R A C T Violated:*

of Living than she had ever been acquainted with under her Mother. That upon her sad Complaints (for which I knew she had abundant Reason) I was very desirous of delivering her from the hard Servitude I knew she was then under: That I was then convinced Mrs. *Hall* would never have consented to her marrying any one, who would not have submitted to dishonourable Terms for her \* own, not her Daughter's, Advantage: That I thought it great Pity so fine a Woman (I must own I had then very high Ideas of her Worth) should be thrown away upon a Man who could be guilty of so mean a Compliance (did not Mrs. *Hall* expect to find such a Person in Mr. *Boyce*? ) and that Miss *Hudson* had given me such Accounts of her Mother's Behaviour towards her, as fully satisfied me, that she had never laid one endearing Obligation upon her. And if these Particulars will not excuse me for complying with Miss *Hudson*'s Desires, I must bear the Blame of it. And when those good Ladies, who have insinuated, that I was very much to blame to beguile a Girl, have seen this, they may, perhaps, notwithstanding their Partiality to their own Sex, allow that I did not beguile, but rather, that I was beguiled by, Miss *Hudson*; as one of them, I believe, has

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\* See Sir *J.* *B*'s Ans. to Int. 10.

been

been told; by whom, and upon what Occasion, she will remember.

Had the Sentence in the Court of Arches been otherwise, to extenuate Miss *Hudson's Guilt*, I should have published a full and just Character of Mrs. *Hall*; but now, leaving that Task to Mr. *Boyce*, I shall only set forth a few Particulars, which I think absolutely necessary to my own Vindication.

Soon after her Marriage with Dr. *Hall*, her own Brother, the Rev. Mr. *Harrison* (as Guardian to Miss *Hudson*) called upon her for an Inventory of Dr. *Hudson's* Personal Estate; which she refusing, he endeavoured to compel her to it by Law, and proceeded, till she was order'd to be committed by the Court of *Chancery*; whereupon she fled, and secreted herself, till Miss *Hudson* came of Age to choose her Guardian; and thereby, not only defeated Mr. *Harrison's* kind Intentions to his Niece, but threw great Part of the Law Charges upon him: Of which, as I was told by Mr. *Taylor* of *Woodstock*, soon after Miss *Hudson's* Marriage, he then complained; and had I married her, he should have been punctually repaid. The Expences of which Contest were, as I have been informed, very considerable on both Sides.

The House she lived in at *Eynsham* lay her in 250*l.* more than Mr. *Boyce* has offer'd to sell it for; she gave 200*l.* too much for her last Purchase, and above 100*l.* too much for other Purchases

32 *The C O N T R A C T Violated :*

Purchases she made at *Eynsham*. She lost by two Persons (whom I could name) about the same time, 100*l.* And when the Costs of Suit with Mr. *Harrison*, and the Sums above-mentioned are laid together, and it is considered, that Dr.\* *Hudson* left her nothing but his Plate, and that she was a Loser by Dr. *Hall*, as is commonly reported, I believe I may venture to say, she died indebted to her Daughter near 600*l.*; at least these Particulars will shew, that Miss *Hudson* could have been no Sufferer in her Fortune by her Mother's Displeasure. A Copy of her Father's Will I sent her, and fully satisfied her in this Particular, so that she has nothing to plead in her Excuse on this Score.

On the 15th of September, 1731, and not before, Mr. and Mrs. *Boyte* were served with a Copy of a Writ in my Name, and in a civil Manner, by my Attorney, and not by a common Bailiff. At that Time Mrs. *Hall* was out of Order, and therefore not acquainted with it. On the Friday following Mrs. *Scott* came to her; and on the Saturday she was disordered in her Senfes, ran to *Cassington*, a Mile from *Eynsham*, and there spake very many Things in my Praise, and would not endure any one to speak ill of me. She was, as soon as could be, brought back to *Eynsham*; and, as Mrs. *Bartholomew* in-

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\* See his Will, App. 4.

formed me, desired to see me, and declared, *She would not go to Bed till she had seen Mr. Goole;* upon which Mrs. Bartholomew desired Mrs. Scott to send for me, but Mrs. Scott, for what Reasons she knows best, would not suffer it. A Physician was sent for, and she was let Blood, but not blistered. On *Monday* Morning Nurses were brought from *Oxford*, who immediately bound her in her Bed (by Sir John Boyce's Orders, I suppose, for, I presume, no Man who pretends to be a Physician, will own or justify such Advice.) On *Tuesday* or *Wednesday* Morning another Physician was sent for, who complained of binding her, and forthwith ordered her to be let loose; but then it was too late, and soon after she died.

In what a careles Manner she was buried, how easily her *disastrous* Death was borne, and what Joy appeared upon it, are Particulars so well known, that they need not be set forth by me.

Sir John Boyce said to Mr. Leake, my Attorney, when he paid him the Costs of the Suit at Common Law, Tell him, meaning me, and bid him consider, that he has been the Death of her Mother, meaning Mrs. Hall. Mrs. Bartholomew indeed, and others, informed me, that she frequently said, *Mr. Goole is a Man of Honour; I have wronged Mr. Goole, &c.* And for these Reasons, tho' he could remember nothing of them upon his

34 *The CONTRACT Violated:*

Examination, I suppose Sir John would have it believed, that I was the Cause of Mrs. Hall's Death: This I can by no Means allow; and the true Cause of it will, I verily believe, soon appear.

It is not indeed impossible but she might have some Concern upon her, for having wronged me by \* abusive Language, and by marrying her Daughter to Mr. Boyce; but Sir John Boyce had demanded Miss Hudson's Fortune of Mrs. Hall, and the Gold Watch given her by her first Husband; and no legal and valid Settlement of Miss Hudson's Fortune having been made before her Marriage, Mrs. Hall, knowing herself unable to balance Accounts with her Daughter, then saw she was entirely in Sir John Boyce his Power; and the just Apprehensions of what Treatment she might expect from him, were, I am persuaded, the Cause of her Disorder, and, by ill Management, of her Death; which, had due Care been taken at first, I am satisfied might have been prevented. She was, in my Opinion, utterly thrown away.

I take it for granted, that Sir John Boyce, &c. will not approve of the Reason here assigned by me for Mrs. Hall's Disorder; if

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\* See Let. 5.

not,

not, let him give a better, provided it be the true one.

He has sworn, that *she died raving Mad*; and if he will have it, that the Marriage of her Daughter, and the Consequences of it, were the Cause of her Madness, be it so; but then let him consider, that the same just and unerring Hand that so soon arrested her, may, he knows not how soon, also seize him.

And this, in my Opinion, he has greater Reason to apprehend than she had; because, besides confederating with Mrs. *Hall* to rob me of her, who, I believe every Body will allow, ought to have been my Wife, and all the Expences, Trouble and Vexation Miss *Hudson's* Marriage has caused me; he has sworn such Things as may perhaps give him some Concern. What he has sworn will hereafter be fully set forth, which when the impartial Reader shall have seen, he will, I doubt not, allow that I have sufficient Reason for what is suggested in this Paragraph.

To let Mrs. *Boyce* and the World see what Hands she is fallen into, and in what Manner I behaved towards her, even upon my Disappointment: As soon as Mr. *Allen* had convinced me, that he had married Miss *Hudson* to Mr. *Boyce*, I shewed him every one of her Letters, the Shoe and Stocking that she had made me a Present of, the Mea-

### 36 *The CONTRACT Violated:*

sures for Petticoats, the Measures for Aprons which she had sent me, and almost all the Things that I had bought for her, and bad him tell Sir *John Boyce* of all: And, as he has since informed me, he soon did so.

This I did, that he might have paid me what I had been out of Pocket on Miss *Hudson's* Account, with which I would then have been well contented.

And that he may not pretend I was too hasty, and gave him not Time to make me a Tender, I did not bring my Action at Common Law till the Time above-mentioned, full six Weeks after the Marriage.

I do not know what Sir *John Boyce* may think of his omitting this, and losing that favourable Opportunity; but I am of Opinion, that if he had had any Regard to Justice, to his own, his Son's, or Daughter's Reputation or Peace, or indeed to any Thing but Money, he ought instantly to have made me, and gladly too, an honourable Amends.

Indeed the *Christmas* following, when I ask'd Mr. *Allen*, why the Knight had not immediately made me Satisfaction? he told me, it had been done, but Mrs. *Hall* would not suffer it. The Truth whereof, tho' I doubt not but he then spoke as he thought, I cannot allow, because the Knight, instead of offering me any Satisfaction, only defy'd and provok'd me after Mrs. *Hall's* Decease. He may remember

member his mean and unmannerly Expression about the Button of his Breeches.

About the Middle of October 1731, the Rev. Mr. Thomas Snell, Vicar of Bampton, my Neighbour and my Friend, at the Request of Sir John Boyce, came directly from him to intercede with me on the Behalf of Mr. Boyce. Soon after Mr. Snell came to me again, and on the 20th I wrote a Letter to him, which has since been exhibited and proved against me, at least a Copy of it, in Violation of Truth, Justice and Honour : And when Mr. Snell came to me the third time, to mend the Proposals contained in my Letter, I consented to seal up Miss Hudson's Letters with my own, and to put them into Mr. Snell's Hands, never to be seen more, unless I could prove to him, and to his Satisfaction, that Sir John, Mr. or Mrs. Boyce, had raised some injurious Report of me.

It has indeed been since alledged in the Cause that Sir John and his Son thought the Terms proposed by me very unreasonable ; but notwithstanding, I am of Opinion (and if they are not of the same too I am much mistaken and misinformed) that nothing but an utter want of Sense, as well as a Disregard to Justice, could have prompted them to force 200*l.* upon me, without having so much as a Receipt from me, or any, unless a senseless Expectation of an Accommodation of the Matters in Dispute ; since in my Letter

38 *The CONTRACT Violated:*

to Mr. Snell I insisted, that no Advantage should be taken of my calling Miss Hudson Mrs. Boyce ; and that a Decree in the Arches would be a *Vindication of my most injured Reputation.*

It has been often said, that Mr. Snell ought not to have trusted Sir John Boyce with my Letter, for fear of his taking a Copy, and making use of it to my Prejudice ; and I have reason to wish he had not ; but I am fully persuaded, that Mr. Snell did not at that time think the Knight capable of so base an Action ; and the warm Resentments that he has expressed to the Knight and me for that Baseness, and for making him a Witness, is, I think, sufficient to vindicate Mr. Snell's Honour ; at least, since I, who am the only Sufferer by that misplaced Confidence of Mr. Snell, quit him of all Blame, no one else ought to suspect him for any Ill ; and would Mr. Snell have favoured me with Sir John Boyce's Letter to him, and his own Answer (and why he would not, I own, I cannot see) those Letters would have been not only a full Vindication of Mr. Snell, but also a *full Proof* of the Knight's Baseness, since he owned to Mr. Snell, that he had made use of him to *betray his Friend* ; and Mr. Snell replied, that he had acted *villainously* in so doing. Expressions of this Import I affirm that I have seen in the Letters that passed between Mr. Snell and the Knight.

I own

I own I had seen *Swinburne's Spousals* before I made any Proposals to Mr. *Snell*; and had Sir *John* immediately consented to every thing, I would not have given Miss *Hudson* a Release till I had prayed the Advice and Direction of my honoured Diocesan, the Right Rev. Father in God *John Lord Bishop of Oxford*, by whom I would have been guided in the Affair. That I doubted is manifest, from my telling Mr. *Snell* soon after, that  
“ I feared I was \* obliged to part Mr. *Boyce*  
“ and Miss *Hudson*.

About the Middle of December 1731, I waited upon the Worshipful Dr. *Henry Brooke*, Fellow of *All-Souls College*, in, and Official to the Rev. Arch-deacon of, *Oxford*; and told him the whole Case of the Contract between Miss *Hudson* and me, as stated in the 11th Article of my Libel; and he then told me, he thought I could not give her a Release, but that he would consider farther of it. Soon after Mr. *Boyce*, having heard of my advising with Dr. *Brooke*, also waited upon him, and offered him a Fee, which he refused, and said, “ I have taken no Fee of Mr. *Goole*,  
“ neither will I of you, Mr. *Boyce*; I do not  
“ like your Case, and have told Mr. *Goole*,  
“ and now tell you, that I am of Opinion he  
“ has it not in his Power to give Miss *Hud-*

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\* See Mr. *Snell's Ans. to Int. 6.*

40 *The CONTRACT Violated:*

" son, such a Release as will make her Marriage with you legal and valid: But the Case is Nice, and I would have neither of you depend upon my Opinion only, and therefore I advise you to get the Opinions of Dr. *Henchman* and Dr. *Strahan* upon a fair State of the Case, and if they disagree with me, I will give up my own Opinion." And then he dictated to Mr. *Boyce* the following State and Queries.

*A. B.* Single Woman, aged Nineteen and upwards, without Consent of Friends, enters into an absolute Contract *de præsenti* [of the present Time] of Marriage with *C. D.* After such Contract *A. B.* *de facto* [actually] marries *E. F.*

1. *Q.* Is it in the Power of *C. D.* to give *A. B.* such a Release from the Contract aforesaid, as will make her Marriage with *E. F.* legal and valid?

2. *Q.* If such a Release may by Law be given by *C. D.* would it not be proper for *A. B.* and *E. F.* to solemnize Matrimony over again?

This State and Queries Mr. *Boyce* wrote in the Presence of Dr. *Brooke* in the Beginning of January following, and sent them to *Doctors-Commons* with all Expedition, by his Friend the Rev. Mr. *John Wesley*, Fellow of *Lincoln College* in *Oxford*, who, on or about  
the

the 13th of the same Month, brought with him the Opinions of Dr. *Strahan* and Dr. *Paul* (Dr. *Henchman* being then out of Town) which Mr. *Boyce* communicated to me at Dr. *Brooke's* Chamber on the 15th; and as soon as I had seen them, I applied to Dr. *Brooke*, before Mr. *Boyce*, for Letters of Request to begin my Cause in the Arches; and they passed the Seal of his Office that very Night.

I asked Mr. *Boyce*, at Dr. *Brooke's* Chamber, before him and Mr. *Wesley*, Why he had not married Miss *Hudson* when he went after her to *Bath* the Year before? And his Answer was, "Mrs. *Hall* would not then hear "of it; and that he had had nothing to "say to her for 16 Months before the "24th of *July 1731*." And when I told him, he must have heard of my courting Miss *Hudson*; he owned he had, but said, "He thought she was as free for him as "me:" And when I urged to him the indecent Haste that was made in prevailing upon, or forcing her, to marry him, and that that was sufficient Reason for him to have suspected that there was some secret Cause of it; he said, "He did not know that she "had gone so far with me; and that if he "had, he would not have married her." To which I replied, "You can now pretend "no Ignorance; you have had the Opinions "of the best Lawyers, upon a Case con- "fented to by yourself; and you see that "your

42 *The CONTRACT Violated:*

" your living with Miss *Hudson* any longer,  
" will be a high and wilful Offence, and  
" therefore instantly part with her." And I  
own, from the Character Mr. *Allen* had gi-  
ven me of him, and from his Behaviour be-  
fore me and to me at Dr. *Brooke's* Chamber,  
(for I had never seen him but once, and never  
spoke to him, or been in Company with him,  
before) I believed he went from me resolved  
never to touch her more, till it should be  
determined whether she was his, or my Wife.  
If I erred in entertaining so favourable an  
Opinion of Mr. *Boyce*, let him declare so; if  
I was right, let him shew by whose Advice he  
broke so commendable a Resolution.

And here, besides what I have already re-  
lated concerning Dr. *Brooke*, I think myself,  
in Justice to that worthy Gentleman (who,  
I know, has been abused by Sir *John Boyce*,  
and represented as the sole Cause of the Con-  
test in the Arches between Miss *Hudson* and  
me) obliged to declare, that he did not spur  
me on to cite Miss *Hudson* into the Arches;  
but that I did it voluntarily, and of my own  
accord, as thinking it my Duty to do it; in  
which I am so well confirmed, that, even  
yet, was it do again, I would do it. And as  
I acknowledge the generous and kind Assis-  
tance Dr. *Brooke* gave me in my Cause, so I  
take this Opportunity to thank him for it, pro-  
testing, that he never took any Fee from me,  
though

though I offered it, and pressed him to accept it.

Since I have here published Dr. *Strahan's* and Dr. *Paul's* Opinions, which were obtained at the sole Expence of Mr. *Boyce*, attested by Mr. *Wesley*; that there may not remain the least Suspicion upon Mr. *Wesley* for giving me a Copy of them, or upon me for desiring or prevailing upon him to do any thing that was in any Degree unworthy or dishonourable, in Justice to him, I declare, that Mr. *Boyce*, at Dr. *Brooke's* Chamber, promised me a Copy, upon Condition, that I would let Mr. *Wesley* see Miss *Hudson's* Letters; and after he had perused them as long as he thought fit, and had taken a Copy of that of the 7th of June, and not before, he gave me the Copy.

Since it has been represented, and believed, at least by my Enemies, and alledged in the Cause, that I cited Miss *Hudson* into the Court of Arches to get Money, I here declare, as I have also sworn, that I did it purely in Obedience to a Principle of Conscience, and with the greatest Reluctancy that I ever performed an Act of Obedience in my whole Life; and I doubt not but Dr. *Brooke* will attest the Truth of both these Particulars. And when the visible Discouragements to such a Proceeding are well weighed, I doubt not but every unprejudiced Person will allow, that I "could have no other

44 *The C O N T R A C T Violated :*

other Aim in it but to do my Duty. A hard Case, that the Wickedness of another should lay any Man under such a shocking Obligation!

I knew when I had commenced the Suit, it would not be in my Power to drop it; I knew very well the Difficulties I should meet with, the Expences, the Scoffs and Abuses, I should expose myself to in prosecuting my Action; I had great Reason to expect that Miss *Hudson* would have denied every thing I should charge her with: Should I obtain a Sentence in my Favour, I knew she would have had it in her Power to settle her whole Fortune upon the Child she was then big with, as soon as Sentence should be pronounced: I knew she had declared, that if she could not live with Mr. *Boyce* in *England*, she would go beyond Sea with him, and that rather than live with me, she would endure all that the Law could inflict upon her. After so base and infamous an Action, I had no Reason to desire such a Woman for my Wife (but a Sense of Duty which exacted that grating Compliance from me); nor could I flatter myself with the least Expectation of Happiness with her, though she should have been decreed to be so, and willingly, with a full Sense of her Crime, have returned to me: If in the Face of so many and such shocking Discouragements, I preferred my Libel purely in Compliance with  
the

the Dictates of Conscience, that Action will, I presume, by all Men of Probity, be granted to be an Instance (how rare soever) of exalted Obedience; and if I did or could do it with any other View, I will allow it to be the most exalted Folly.

I proceed now, in order to shew what a Title Sir *John Boyce* has to Knighthood, to make some Observations upon what has been sworn in the Cause.

Sir *John Boyce* swears, he never heard of Miss *Hudson's* \* Contract with me, *till after her Marriage*. *Taylor*, who gave Miss *Hudson* to be married, swears, he believes he heard the Knight say, *three or four Days before*, that he had heard she was contracted to me; and that *Taylor*, who had but just left the Knight's Service, and had then, or did soon after marry a near Kinswoman of the Knight, and had Expectations from him, should swear he had heard the Knight say, three or four Days before the Marriage, that he had heard there was a Contract between Miss *Hudson* and me, if he had not really heard the Knight say so, is to me perfectly unaccountable; and that the Knight should say so, and never have heard of the Contract, is more so.

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\* See his Ans. to Int. 6. and *Taylor's* to the same.

## 46 The CONTRACT Violated:

The Knight swears, that his Son did \* court Miss *Hudson* from the First of *January* before the 24th of *July* in the Year 1731. Miss *Hudson*, before I would suffer her to contract herself to me, told me, that she had had nothing to say to Mr. *Boyce* for above a Year before the 10th of *June*; and Mr. *Boyce*, before Dr. *Brooke* and Mr. *Wesley*, on the 15th of *January*, told me, that he had had nothing to say to Miss *Hudson* for sixteen Months before the 24th of *July*. Now here I cannot reconcile the Father's swearing with the Son and Daughter's speaking: But I own I think they spoke the Truth, in this Particular at least.

The Knight swears, he † settled, but he does not swear that Settlement was § valid in Law (to which he was, or ought to have been interrogated) between 70 and 80 *l. per Ann.* upon his Son, and engaged himself, but in what Manner he says not (by his honourable Word only, I suppose) to lay out 600*l.* to buy a Parsonage for him; and that Mrs. *Hall* gave, not settled upon, Miss *Hudson*, between 70 and 80 *l. per Ann.* Miss *Hudson* was carried from *Eynsham* but on the 26th of *July*; and therefore whatsoever Bargain Mrs. *Hall* and the Knight might make, they had not Time for any legal Settlement; nor by Sir *John's* Evidence does it appear that

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\* See his Ans. to Int. 4.

§ See Int. 10.

† See his Ans. to Int. 10.

any

any legal Settlement was made. And I am the rather induced to think that there was not, because, as has been given out, and by Mrs. Scott, if I am not misinformed, Miss *Hudson* had not consented to marry Mr. *Boyce* till late on the 28th of July, whatsoever the Knight may swear.

The Knight swears, that Miss *Hudson* had \* consented to marry his Son on the 14th or 15th of July: If in this he swears falsely, what is he? If truly, what is Mrs. *Boyce*? Who, when Miss *Hudson*, in three Letters after that Time subscribes herself my most affectionate, or affectionate Spouse.

The Knight swears, he believes I commenced the Cause in the Arches against Miss *Hudson* for † *Lucre* sake. He swears also, that after I had seen the Doctors Opinions, I neither made, nor admitted, any Proposals of § *Lucre* to be made to me, in order to release Miss *Hudson*. Those Opinions I saw on the 15th of January, before the Cause was commenced, and before the Letters of Request had passed the Seal of Dr. Brooke's Office. Now, that I should commence the Cause for *Lucre* sake, and yet neither make nor admit any Proposals of *Lucre* to be made to me, seems to me perfectly incoherent: And I leave Sir John to explain those Depositions, in such

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\* See his Ans. to Int. 10. † See his Dep. on 6, 7, 8, 9, 10.  
Art. 2, All. § See his Ans. to Int. 2.

48 *The CONTRACT Violated:*

a Manner as shall convince the impartial Reader, that he is a Man of unquestionable Veracity, if he can; for my Part I cannot.

Sir John swears, he does not believe any such \* Case, as is mentioned in the second Interrogatory administered upon the second Allegation, was drawn, and sent to Dr. *Paul* and Dr. *Strahan* for their Opinions, by mine and Mr. *Boyce's* Consent, but owns, he had heard I had reported, that I had obtained such an Opinion. As to the Report, I can say no more than that I never reported any such thing. To the Case, Mr. *Boyce* and I consented, as Dr. *Brooke* very well knows, and that I was not at one Penny Expence in obtaining the Opinions, Dr. *Brooke* and Mr. *Wesley* can testify. The Knight, indeed, does not swear that he had not seen those Opinions, but that he cannot *recollect what such Opinion was*. Now that the Knight should furnish the Esquire with Money to obtain those Opinions, and not know for what Reason he furnished him with it; that the Esquire should put himself to such Expence, and not acquaint his Father with it; that he should obtain those Opinions, and not communicate them to his Father; and that the Father should not remember what those Opinions were, in a Case that so nearly af-

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\* See his Ans. to that Int. 10.

fected

fected his Son and him, are Particulars in which I believe he will scarce ever be able to make the World believe him: Me he never will.

The Knight swears, that he does not remember whether or no he ever promised Mr. Snell, that *nothing imparted by me to Mr. Snell should ever be brought in* \* Evidence. Mr. Snell deposeth, he believes the Knight promised him not only that, but also, *that he should not be made a Witness*. Which single Instance, was there nothing more against him, is, in my Opinion, sufficient to prove the Knight hath, at least, a very bad Memory, and a Disposition not much better. And I will tell him, which indeed he might not know before, that all Men of Honour allow, that in such Cases there is a Condition of that Nature imply'd, though no Promise had been given. And to confirm this, at least, by one Example, I assure him, that in regard to this Rule of Honour, I could not give myself Leave to make Dr. Brooke or Mr. Wesley Witnesses; by whom I could have proved, that Mr. Boyce consented to the Case advised upon; that he was at the whole Expence of procuring the Doctors Opinions; that Mr. Boyce proposed to me to get an Act of Parliament to confirm his Marriage; that he press'd his Father to accept of my Propo-

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\* See his Ans. to Int. 8. and Mr. Snell's to the same.

50 *The CONTRACT Violated:*

sals, and several other Particulars much to my Advantage; which for the same Reason I will not so much as mention. In regard to the same Rule, I could not give myself Leave to take a Copy of the Knight's Letter to Mr. *Snell*, though I had it in my Possession three or four Days. And I will tell the Knight farther, that though I had known he would have made the base Use of my Letter which he since has, I could not have suffered myself to have done so.

The Knight swears, he did not \* ride Post, nor make any extraordinary Haste from *London* to *Oxford* or *Barton*, near the Time of his Son's Marriage, nor on any other Occasion, saving in his Way of Trade. His Way of Trade was always to get as much Money as he could, and, perhaps, the Profit being more than all he ever got by his Trade, or is at present worth, he esteemed the getting Miss *Hudson* for his Son a Branch of his Trade; but whether he did or not, I affirm, that Mrs. *Bartholomew* of *Eynsham*, who was very intimately acquainted with Mrs. *Hall*, Miss *Hudson*, the Knight, and the Esquire, assured me, that he did ride Post about that Time, and to compass the Marriage. Here is at least a Mistake, and such a one as I be-

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\* See his Ans. to Int. 10.

lieve Mrs. *Bartholomew* and the Knight will never be able to set to rights.

The Knight swears, he does not remember or believe, that his Son ever proposed to me to get an Act of \* Parliament to confirm his Marriage. His Son not only made that Proposal in the Presence of Dr. *Brooke* and Mr. *Wesley*, but I was told he would make it before we met: And that he should make such a Proposal, and come instructed to make it without his Father's Knowledge or Consent, is so highly improbable, that I believe no impartial Man will believe it.

The Knight swears, he does not remember whether there was any Rasure, or † Obliteration in the Licence Bond! now *Fifield Allen* is not only quite erased, and Sir *John Boyce* his Name wrote upon the Rasure, but *A. M. Ædis Christi Oxon. Alumnum* scratched over so much that one cannot easily read it. That his Name was erased Mr. *Allen* § confesseth; and I wish, because I am of Opinion it would have redounded to the Advantage of his Character, he had told the true Reason of it, instead of barely saying, “ It was thought (so that there was nothing done rashly or precipitately, there was a Consultation called upon the Case, by whom indeed Mr. *Allen* does not say) “ most proper

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\* See his Ans. to Int. 5.

† See his Ans. to Int. 8.

§ See his Ans. to Int. 9.

52 *The CONTRACT Violated:*

" for Sir *John Boyce* to execute the Bond." That a griping covetous Tradesman should sign a Bond for 100*l.* and not know whether there was any Rasure or Obliteration in it, when there was, and still is, so remarkable a one, is to me as strange as any thing else the Knight has sworn.

The Bond has been long assigned to me, and I shall at a proper Time bring my Action upon it; and therefore I desire Mr. *Lamprey*, whose Name is to it as a Witness, to satisfy me, whether Sir *John Boyce* executed it in the Presence of Mr. *William Ives*, jun. and Mr. *Thomas Lamprey*; because the Knight swears, he executed a Bond and \* delivered it to Mr. *Allen*; which makes me suspect, that Mr. *Lamprey* was not present when the Bond was executed; for if he had, he would have been the properest Person to have received it from Sir *John*, and to have sent or carried it to the Office.

Mr. *Allen* and the Knight both confess, that neither Mr. *Boyce* nor Miss *Hudson* took the † Oath upon granting the License, which, according to Law, one of them ought to have done; and yet Mr. *Boyce* is a Surety in the Bond, which by Law he ought not, by reason of his Minority. All these Circumstances gave me a strong Suspicion, that Mr.

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\* See his Ans<sup>t</sup>. to Int. 9.

+ See their Ans<sup>t</sup>. to Int. 9.

*Lamprey*

*Lamprey* and Mr. *Allen* designed the Bond should be void and null. Mr. *Lamprey* therefore, especially, will do me the small Favour to let me know whether the Bond was legally executed or not, that I may not be nonsuited by his unfair Proceedings; and this I hope he will the more readily do, because it may save him Trouble. And that he may do this as speedily as possible, I can acquaint him further, that should the Bond appear to be void for want of a legal Execution of it, all the Persons concerned may yet be liable to a Prosecution of another kind, and that not quite so reputable.

I must be indulged to observe farther in this Place, and the Justice of the Observation I submit to the impartial Reader, that Mr. *Boyce* his being made a Surety in the Bond, since it is \* confessed he did not take the Oath, could be done only for a Blind to Dr. *Brooke*, to whom the Bond is given; and if so, Mr. *Lamprey* and Mr. *Allen* must know themselves much to blame; and though it may be barely possible, and more I think it cannot be, that Mr. *Lamprey* and Mr. *Allen* might be ignorant of the true Cause of such Proceedings, yet this is a farther Proof, that the Father and the Son, unless they were equally Fools and Knaves (for no wise and

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\* See Sir *J. B's* and Mr. *Allen's* Ans. to Int. 9.

54 *The CONTRACT Violated:*

honest Man would do a fair Action in such a manner, as must necessarily bring him under a Suspicion of Dishonesty) had Reason to suspect, that the Bond might rise up against them, and their whole Iniquity be thereby laid open; to prevent which was the sole Reason that Mr. *Boyce* was made a Surety in the Bond.

Here some would make themselves merry with the Knight's artful Memory: He does not *remember* that his Son proposed to me to get an Act of Parliament to confirm his Marriage; he does not *remember* whether he promised Mr. *Snell* that nothing imparted by me to Mr. *Snell* should ever be brought in Evidence; he does not *remember* what the Doctors Opinions were; he does not *remember* whether there was any Razure in the Bond; he does not *remember* whether he was at *London* on or about the 26th of *July* 1731; but he *remembers* very well, at three or four Years greater Distance, that I called Mrs. *Hall* an *ill-natured Bitch*, and has positively sworn that I did; and I as positively affirm, and can as positively and more truly swear, that I never did. I do not know what Pleasure the Knight may take in his *Memory*, but I would not have such a one for all the Profit he has got by his Trade, and Miss *Hudson's* Fortune to boot.

I desire every Gentleman and Lady who shall read this Case to examine well the Interrogatories

rogatories administered by me upon the first Allegation (for that they may do this is the only Reason of publishing them) because, to excuse himself for basely exhibiting my Letter to Mr. *Snell*, the Knight has given out that I had asked him in those Interrogatories, whether I had ever made any Proposals in order to give Miss *Hudson* a Release? And if no such thing is found in them, he will by all be allowed to be *a notorious* —

And I desire it may be observed farther, That there is not in all my Interrogatories one Question but what was designed, and, as I think, really tends, to Miss *Hudson's* Honour: I proposed by all and every one of them to sift out such Particulars as should, had Sentence been given in favour of the Contract, and she had come to me, have transferred great Part of the Guilt of her Marriage with Mr. *Boyce* upon those I then thought chiefly chargeable with it. And thus having given the Reader a Specimen of the Knight's Veracity, &c. I shall in the next Place make some Remarks upon Mr. *Allen's* Depositions.

Mr. *Allen* deposeth, That he believes Mr. *Boyce* and Miss *Hudson* were free from all Matrimonial Contracts, *saving to each other at the Time of their* \* *Marriage*. He also

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\* See his Dep. on Art. 2. All. 1.

## 56 *The CONTRACT Violated:*

deposeth, That on or about the 3d of *August* 1731, I told him, that *Miss Hudson and I were contracted to one another by the Office of the \* Church.* At the same time I shewed Mr. *Allen* all her Letters, &c. Mr. *Allen* had seen the Doctors Opinions long before his Examination: *Miss Hudson* had also confessed every Word and Circumstance of the Contract the *July* before Mr. *Allen* was examined: And I doubt not but Mr. *Allen* had seen her Answers, or heard of them; but if he had not, sure he had sufficient Reason to think she was contracted to me before, and therefore not free from all Matrimonial Contracts at the Time of her Marriage. However, supposing Mr. *Allen* was so credulous, for I would willingly believe him, I ask him for what Reason he said to me, as soon as he had read her Letters, “ If he had known it before, “ he would not have married them for Ten “ Thousand Pounds?” And why he expressed so much Concern for having married them, to a great many Gentlemen more, for a considerable Time after the Marriage? And, not to press an old Acquaintance too far, I shall be very glad to receive such Answers to those Questions as will convince all impartial Men, that he did really believe, *at the Time of his Examination*, that Mr. *Boyce* and *Miss Hudson*

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\* See his Ans. to Int. 7.

were

were free from all Matrimonial Contracts, save to each other at the Time of their Marriage. This I declare sincerely I shall be glad of, though it must then appear that he did not believe me.

Mr. *Allen*, upon his first Examination, deposeth, That he had heard that Mrs. *Hall* was *a close or covetous Woman*; on his second, That she had the Character of *a close penurious Woman*; and that she was, as he believes, no otherwise unkind to her Daughter than in not letting her be dress'd so fine as she expected and desired; and that *she had the same Regard to her own and her Daughter's Honour and Reputation as other Mothers usually have, as he believes.*

I ask Mr. *Allen*, Whether he ever knew, heard, or read of, one covetous Person, Man or Woman, who had a Regard to Honour and Reputation? And when he shall have recollect'd, that upon the Sight of Miss *Hudson's Letters*, he immediately said, "Here is a fine Woman spoiled by an ill or bad Education;" and that on the 15th of January following the Marriage, he told me, he had the Year before said to Mr. *Boyce*, "If you design to marry Miss *Hudson*, you should make Haste, before her Mother has spoiled her;" and that by his Advice, Mr. *Boyce* went after her to Bath: He will own surely, if a bad Education is an Unkindness to a Child, as, I confess, I always thought it, that

58 *The CONTRACT Violated:*

that Mrs. *Hall* was unkind to her Daughter, otherwise than in her Drefs; and be sorry for having said, at leaft what I think implies fo much, that though Mrs. *Hall* was a covetous and penurious Woman, and gave her Daughter a bad Education (and, I add, a worse Example) yet, he believes, she had the same Regard to her own and her Daughter's Honour and Reputation as other Mothers usually have. Had Mr. *Allen* a Mother alive, I am satisfied she would chafsize him for such a Faith; and I challenge him to find out that Mother, *who is a Woman of Honour and Reputation*, that will thank him for ranking her under that Character with Mrs. *Hall*.

To finish all I think proper to say upon Mr. *Allen* his Evidence, and the Part he bore in laying irreparable Injuries upon me, I ob-serve, as he himself \* *confesses*, that he alone took out the Licence, for which the Knight's *Closeness* can be no Pretence, because the Fa-ther and the Son might have done that, and not have let even Mr. *Allen* into the Secret, till *the never-to-be forgotten Job at Cowley* had been ready for him. And, though I will hope Mr. *Allen* really thought the Knight's *Closeness* a sufficient Reason for such a Se-cret, not to call it a clandestine Marriage (for the † Farmer and the Carpenter were

\* See his Ans. to Int. 9.

† See Mr. *Allen's* and *Taylor's* Ans. to Int. 5.

present

present by mere Accident) yet I must take Notice, as I have long ago told Mr. *Allen*, that the Method of taking out the Licence, and the Secrecy of the Marriage, was a very sufficient Cause for him to have suspected all was not right in the Case. How willing soever Mr. *Allen* might be to oblige the Father and the Son, he could not but see, and therefore ought to have told two poor Wretches, whom I will suppose ignorant of such Matters, that it would not only be more proper, but more reputable, for them to take out the Licence, than for him to go and ask for a Licence which *ought to have been denied him*, and therefore might have been expected to be so; because the Surrogate, for granting it, would run the Hazard of being suspended from performing the Office of a Clergyman for six Months, as well as from being a Surrogate, which has been already inflicted upon him.

What Mr. *Lamprey* the Surrogate may have to say for himself, I can neither guess nor see; but if it will be at all for the Advantage of his Character (as I hope it will, for I will not suppose that he would take a Bribe, or Mr. *Allen* offer him one) he ought to discover by what Methods Mr. *Allen* prevailed upon him to do such an irregular and unlawful Action. And when Mr. *Allen* and Mr. *Lamprey* shall consider, whatever Comfort they may find from their Ignorance, that I could have

60 *The C O N T R A C T Violated :*

have suffered no more by the most barefac'd and shameles Confederacy in Guilt; they will not perhaps think themselves so innocent as they are represented to do at present; at least, I solemnly assure them both, that I would not even ignorantly have been the Cause of so much Guilt, if I mistake not, and so much Injury, as I am sure they have, to any one Man for all the Treasure of the Indies. There appears so much Shyness in the Knight's, Mr. Allen's and Taylor's Confessions, concerning the Bond, the Licence, and the Marriage, that I doubt not but every impartial Man will be of Opinion, there is still a great deal of *Secret History in the whole Affair.* As Mr. Allen had a fair Opportunity, so I expected he would have set forth by what Arguments or Importunity the Knight and the Esquire prevailed upon him to do an Action, which, to speak of it most tenderly, must be allowed to be inexcusably weak and officious; especially since he knew at the Time of his Examination what sad Consequences attended it; much sadder, as he then expected, than at present he may think; since at the first Commission he told the Knight that the Allegation and Commission, &c. were all to no Purpose; as was indeed then generally believed.

As to Mrs. Hall's and the Knight's Meanness and Baseness, both evidently appearing from the Circumstances of the Marriage, I shall

shall say no more; but I cannot but wonder, that the Esquire, from whose Education better Things might have been expected, should take a Wife from the *Hand of a Footman*, an Indignity to which before I would have stooped, I would never have taken her at all. And if what Mrs. Bartholomew told me is true (as I really believe it is, because, if I did not misapprehend her, she had it from Mrs. Boyce's own Mouth) *viz.* That before the Marriage, *Miss Hudson was forced to sign a Paper, expressing, that she would un-compelled, and voluntarily marry Mr. Boyce*, I am of Opinion, that Sir John Boyce and his Son were afraid she should, even after the Marriage, have run away to me; and therefore to avoid the Consequences of the Law in that Case, she was married in so mean and pitiful a Manner: And to confirm Mrs. Bartholomew's Report, Mr. Boyce, when asked by me, how he could take a Wife at the Hand of a Footman? reply'd, at Dr. Brooke's Chamber, before him and Mr. Wesley, "It was done to avoid what had been talked of;" which was, as I apprehended, "If *Miss Hudson* had soon after the Marriage escaped to me, I would have hanged the Knight and the Esquire." Is not this Confession of Mr. Boyce a strong Indication, that he knew of Miss Hudson's Contract with me? Or, that Miss Hudson was forced to marry him? Having paid my Compliments to Miss

*Hudson's*

62 *The C O N T R A C T Violated :*

*Hudson's* Witnesses, I shall now relate what Treatment I received from two of her Advocates and Proctor.

I had once Thoughts of setting forth every Step that was taken in the Cause between Miss *Hudson* and me on both Sides; but now waving that, tho' I met with every Delay which the Knight and Mr. \* —— could give me, I will complain only of what I think an inexcusable Vexation in Point of Time; and that is the second Allegation; every Tittle whereof, it being chiefly grounded on my Letter to Mr. *Snell*, the Knight was acquainted with before I cited Miss *Hudson* into the Arches; and therefore, since *sua cuique nocet mora*, is, as I am informed, a Maxim in the Civil Law, the Matter of the second Allegation should have been joined to the first, or not given in at all. If a knavish Client and an artful Proctor, by concealing Part of what they design to plead or alledge, shall have it in their Power to give in Plea after Plea, and Allegation after Allegation, and thereby put an injured Man to very great and unnecessary Expence, and lengthen a Cause almost *in infinitum*; every Man, however injured, ought to take Care how he seeks Redress in the Court of Arches.

And when I shall have observed, that no one *Exhibit*, though ever so plain, and

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\* Miss *Hudson's* Proctor.

though

though every Word of it shall be favoured by the Court, will be admitted without feeing Advocates to plead to it; and that a Man is not at Liberty, if my Proctor gave me a fair Account of the Practice of the Court, to submit any thing to the Court, without Pleadings had upon it; and further, that though the greatest of *Injuries*, and the Dictates of his upright and well \* informed *Conscience* shall force a Man to prefer a Libel in the Arches, and though not one Action or Circumstance, which a fair Enemy can charge with the least Want of Regard to *Honour* or *Conscience*, shall be proved, or even reasonably suspected, against him, yet he must expect to have as much Filth as a Scavenger's Cart will hold, emptied upon him, unless he shall be much more justly used than I was; the most injured Man will be cautious how he exposes himself to more and more sensible Injuries in seeking Redress for almost the greatest already received.

And to prevent the like for the future, at least to do all that is in my Power towards it, I cannot but observe, that scandalous and ungrounded Calumnies in the Pleadings of Common and Civil Lawyers, can have no End but to turn them into Revilers, and to gratify the Malice of an unjust and wicked

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\* See App. No. 10.

Client,

## 64 *The C O N T R A C T Violated:*

Client, two Things that, I think, ought to be tolerated in no Court; and, if so, they must in a Court Christian be more intolerable and abominable. Not one of my Advocates cast a Reflexion: Dr. *Henchman* and Dr. *Kynaston* pleaded like Gentlemen, but one Advocate's Behaviour was such, as would make a great many believe, he was feed chiefly to abuse me, if not solely for that End.

And here I shall be excused (even by Pleaders I hope) for observing, that in the Court of Chancery, either in Bills or Pleadings, &c. nothing scandalous is endured; that the Judges of other Courts frequently rebuke and menace a Pleader for scandalous Insinuations, and call upon him to justify them by his Brief; and therefore, since unreasonable Calumnies are not only offensive, but, when duly attended to, impertinent, they ought to be banished out of all Courts: But if such Proceedings must still be tolerated, I would have the following Words, *viz.*

CALUMNIES IN PLEADINGS  
ARE NO SLANDER, wrote in Capitals, at least a Foot long, and hung up in every Court Ecclesiastical and Civil (except the Court of Chancery, where they would be useless) in *England*: The Sight of them would refresh a Man of true Honour, when vilified by a licentious Pleader; and make a

*Reviler*

*Reviler blush,* if he be not throughly hardened in Scandal.

And here it will, I believe, be some Diversion to the Reader, as well as an Excuse for the Freedom I have taken with a learned Advocate, to know the Strength and Ingenuity of some of those doughty Arguments he urged, and *without blushing*.

Because *Penticross* deposeth, that I went over a low \* Wall (the same Wall over which Miss *Hudson* came to meet me at his House) and that he had seen us together in the Night, the Doctor, with great Noise, said, "Here has been scaling of Walls, breaking open Houses, and disturbing of Families at Midnight;" and this, after he could not but have observed from Miss *Hudson's* fifth Letter, and my Answer to the second Allegation, which he owned to me was very fair and full, that I waited upon her in the Night, by her own Appointment, and at her own Request; and that all Doors were not only open for me, but she herself ready to receive me with open Arms, and open Heart.

To shew that Miss *Hudson* thought herself under no Contract to me, he quoted these Words, *I thought you had left † me*, which being so palpable a perverting of her Sense and Meaning, I observed to him immediately

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\* See *Pent.* Dep. 4, 5.

† See Let. 9.

## 66 *The CONTRACT Violated :*

that he had left out *when*; and yet he could, without *regard* either to *Truth* or *Shame*, urge those Words again, without what went before or followed them.

And should an Attempt be made to put an End to the vexatious Proceedings of Proctors, and the dilatory Practice of Ecclesiastical Courts (without pulling up Foundations, for sure the Civil Law is very good) I am humbly of Opinion, that a Law enacting, *That* there shall be but one Plea and one Allegation in a Cause; *That* the Defendant shall alledge the second Court Day after the Libel or Plea is admitted, or not at all; *That* both Parties shall immediately proceed to make their Proofs; *That* Publication of Evidence on both Sides shall pass as soon as the Depositions shall be in Court; *That* the Judge unmoved shall of course order Publication; *That* no Advocates shall be allowed till the Time of Trial (*for every Ecclesiastical Judge, if he understands the Business of his Place, must know what is fit to be admitted or rejected in any Cause*) *That* there be no close or secret Commissions; and, *That* whosoever shall oppose any Motion which shall be favoured by the Court, shall instantly pay down the full Costs occasioned by such Opposition, to Plaintiff or Defendant, would have a very good Effect; then an honest and injured Man, when compelled to seek Redress in a Spiritual Court, would know when, and pretty

pretty near at what Expence he could get out of it.

Since it is notorious, that when a Man or Woman has violated either a Contract of the present Time, or a Marriage in the Church, by entering into a second Marriage (and there is at this present Time, or was last Term, a Cause of the latter sort depending, either before the Chancellor of London, or the Dean of the Arches) *the offending Party must live in the continual Commission of a very great Sin*; and since it is as notorious, that, according to the present Proceedings of Ecclesiastical Courts, the injured Party cannot recover the Offender out of *that State of Damnation* he or she is in, before several Children may be born by virtue of the second Marriage, *which Children shall be pleaded in Bar of the injured Person's Right*; I hope those great Persons, whose Province it is more eminently *to prevent Sin, and to redress Wrong*, will not think it beneath them to consult upon proper Methods to bring all Causes, wherein a Violation of a Contract of the present Time, or a Marriage in the Church, by a second Marriage, shall be pleaded, to a speedy Issue; and to separate the Offenders *à mensâ & thoro*, till a Sentence shall be given; which would they do, I am satisfied they would find no Difficulty in it; because, upon proper Encouragement, I flatter myself I could propose an unexceptionable

68 *The CONTRACT Violated:*

Method productive of so righteous and just an End.

It may, perhaps, be thought Boldness, or more, for a private Person to offer Proposals for altering the Proceedings of Ecclesiastical Courts; be it so, the Design of it will, I hope, excuse, if not justify me: I propose thereby to procure a *Reverence* to those Courts, as well as to prevent dilatory and vexatious Proceedings.

Since my Cause in the Arches has been the Subject of publick Discourse, and a contrary Event of it generally expected, it will not, I presume, be ungrateful to the ingenious and learned Reader to know upon what Reasons and Law the Sentence was grounded.

After citing many Cases and Opinions relating to Contracts, and the Proof required by Law to procure Sentence in favour of a Contract, and after a languid Animadversion upon the Method of obtaining and granting the Licence for Miss *Hudson's* Marriage, softened with, "I fear Licences are often taken out by a third Person," it was granted That there was no room to suspect any Collusion between Miss *Hudson*, or Mr. *Boyce* and me; That Miss *Hudson's* Letters were wrote before her Marriage with Mr. *Boyce*; That Mr. *Goole* was not to blame, for she would have it so (I am willing to keep the learned Gentleman's very Words as near as I can) That had she not been married,

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Cafe would have been otherwise; *That* there was nothing in Difference of Age or Fortune; and, *That* a Contract of the present Time is indissoluble.

But afterwards the same learned Gentleman insisted, *That* the Contract between Miss Hudson and me was a secret one; *That* the Law was unfavourable to secret Contracts; *That* by the 105th Canon the sole Confession of Parties is not sufficient to set aside a second Marriage; *That* I had prayed my Suppletory Oath; *That* Miss Hudson had not made a full Confession of the Contract; *That* if she had, the Proof which the Law requires to be sufficient would not have been so, though I had been allowed my Suppletory Oath, because it would have rested *solely* upon the Confession of the Parties; *That* I did not design to marry her till she should be of Age; *That* neither of us knew *the Strength of our Contract in Law*, when we entered into it, and therefore let Mr. Boyce be put to no farther Trouble. For the Truth of these Particulars I appeal to every Gentleman that was in Court when the Sentence was given, and to one above all the rest.

I am very well pleased with, and thankful for the Sentence, being sensible that I am thereby delivered from many Years Trouble and great Expences, and therefore may, I hope, without Offence, make some humble

70 *The C O N T R A C T Violated:*

Remarks upon as many of the Particulars above-mentioned as I shall think fit.

*There is no room to suspect any Collusion between Miss Hudson, or Mr. Boyce and me: To prevent the wicked and mischievous Consequences whereof, is, as I apprehend, the sole Design of the 105th Canon, not to give any Man's Wife to another, but to preserve every Man's Wife to himself. I am no Judge of these Matters, and therefore I submit it to the Learned, whether that Canon is of any Force in a Case where there is no room to suspect any Collusion: To the Insufficiency of Proof in the Cause between Miss Hudson and me I shall speak anon.*

*Miss Hudson's Letters were wrote before her Marriage with Mr. Boyce. And do those Letters really contain no Evidence that will make the least Addition to the Confession of Parties? Are they not a mere Non-Entity? Or does Mrs. Boyce swear, that she wrote those Letters in Jeſt? Does she not in many of those Letters give me all the tenderest Appellations that the best of Husbands could desire or expect from the best of Wives? Does she not over and over write herself my Spouse, and own herself again and again under the Obligations of Obedience to me? Does she not declare to her Mother, that she had made me a Promise which *she neither could**

*Or, The Hasty Marriage.* 71

could nor would \* break? Hath she not in her Answers set forth that Promise? And does not that Promise contain a Contract of the present Time? Does she even swear *absolutely* that the Contract was a *Jest*? No, only that *she apprehended it to be in Jest*: Does it not appear by the Letters that she had fixed the Time for her Marriage with me! Has she not sworn, that she corresponded with me till after the Time of her Marriage with Mr. *Boyce*? And is all this nothing? I do not know whether the Gentleman most concerned will give any Answer to these Questions; nor do I care whether he will or not: But I will say, that if Letters are allowed to be Evidence (as certainly they are, or Dr. *Bettefworth* would not have suffered Miss *Hudson's* Letters to be exhibited) at least adminicular Proof of a Fact confessed upon Oath, stronger were never pleaded or proved in any Court. And therefore I submit it to the Learned, whether the Proof given in the Cause between Miss *Hudson* and me rested upon the *sole* Confession of Parties, and whether the 105 Canon was rightly applied between us.

In Justice to my Advocates, Dr. *Strahan*, Dr. *Andrew*, and Dr. *Isham*, I think myself obliged to declare, That Miss *Hudson's* Letters were very well pleaded, and that not

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\* See Let. 16.

72 *The CONTRACT Violated:*

one Argument deducible from them was omitted, except this (if it be an Argument) *viz.* in her Letter of the 23d of July she owns she told her Mother, That *she had made me a Promise, which she neither would nor could break*; in her Answers, as I apprehend, she has set forth that Promise; and whether that Promise contains a Contract of the present Time or not, is submitted to the Learned.

*Mr. Goole is not to blame, for she would have it so.* Was he not? Why then was he suffered to be vilified, and scandalously compared to an infamous Jesuit, by an antick Pledger, uninterrupted and unrebuted? The Flowers that fell from the one Advocate were indeed noisily bellowed out upon the Opening of the Cause before the Evidence was read, and therefore I allow it possible, and more cannot be desired, that even a Judge might think he could have supported them by his Proofs: But all had been seen and pleaded before the other Advocate began to *lay about him*, and therefore one would think that his Abuses might have been taken Notice of by an impartial Man in a Court Christian, either at the Pleading or giving Sentence; but not a Word of that Nature was dropt at either Time.

*Had not she been married, the Case would have been otherwise.* Now for my part I declare, that I, and I believe every Gentleman that

that heard it, understood by this, and he who spoke it, if he meant any thing, meant, that had not Miss *Hudson* been married, our Contract would have been decreed to be good and valid; and would a just Judge have passed a Sentence of that Nature without a *full* Confession of the Contract? or did the Marriage render Miss *Hudson's* Confession not full? When but for that Reason upon the Concession above, it must have been allowed to be full: And I would be glad to know in what Word or Circumstance her Confession was deficient.

*There is nothing in Difference of Age and Fortune.* Why then were not those impertinent Suggestions struck out of the second Allegation? I was displeased with my Proctor for opposing the Admission of the first Allegation, and blamed him for Feeing Advocates to put me and Miss *Hudson* to unnecessary and fruitless Expences on that Account; but I own I ordered him to fee and prepare my Advocates to oppose the second; and I am satisfied they could not but see, that the Pretence of Difference in Age and Fortune was utterly impertinent, and therefore (for I was not in Court) I take it for granted they insisted that it was so. And yet—

I own at the Time of the Contract I did not know the Validity of it *in Law*; but I thought and designed it to be the most *sacred* and the most *binding* Engagement that Man and

74 *The CONTRACT Violated:*

and Woman could enter into, and told Miss *Hudson* so; and is a Contract of the present Time more?

I readily own also, that I did not design to marry Miss *Hudson* till she should be of Age: But that I should not contract Matrimony with her, because I did not design to marry her till she should be of Age, is an Inference I cannot allow; for I am apt to think the contrary Conclusion will rather flow from that Concession. I did not design to marry her till she came to Age, and therefore, to secure her when she should be of Age, I accepted *the Offer of a Contract*; had I instantly married her, there would have been no need of a Contract.

All these Particulars may perhaps suggest to the Legislature, that *Sentences in the Court of Arches* ought not to rest upon the Opinion of *one Doctor only*, and much less in Causes of Moment: Because every Act of our Courts of Law requires the Concurrence of the Majority of four Judges, and generally has the Consent of all.

If a Contract of the present Time can never be dissolved: If in these Words only, *viz.* “I take thee to my Wife,” and, “I take thee to my Husband,” a Contract of the present Time is expressed; If the most solemn Release of a Contract of the present Time, made even in the Face of a Court by both the contracting Parties (as was asserted by Dr. *Strahan*,

*Strahan*, and no Advocate made any Reply to that Assertion) cannot dissolve such a Contract; if even *Proof* of a Contract of the present Time, according to Mr. *Swinburne* and Dr. \* *Paul*, be not necessary; if (though an Ecclesiastical Judge is obliged to pass Sentence according to Evidence) no Sentence upon Earth can make that *good*, which is *in itself evil*; then all these Particulars may deserve the most serious Consideration of Mr. and Mrs. *Boyce*; their eternal Happiness or Misery may depend upon it. Whether they will think so or not, I much doubt; but I assure them both, that even yet, they are the Subject of my most serious Thoughts.

Should the Sentence which has been given in the Cause between Miss *Hudson* and me (which, as some would have it, was, in great measure, owing to *Pity*, upon a very sad Case, a Case that would in no Light afford me a tolerable Prospect) prevent all secret Contracts for the future (as I wish it may; and if it does not, I shall be disappointed of one End I propose by publishing the present Case) it will be well; and should it be abused to the rooting out of all *Faith*, *Truth*, and *Honour* between Men and Women, I am clear; I have done my Duty, all I ought to do, all I can do.

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\* See App. No. 1.

## 76 The C O N T R A C T Violated :

Had Mr. Boyce separated himself from Miss Hudson, after he knew of the Contract and the Validity of it in Law and Conscience, till a Sentence had been given, a good deal might indeed have been pleaded in his Favour; but his Cohabitation with her after that Time, leaves him utterly without Excuse, and shews, that he is not a Man of so tender a Conscience, as, I own, I myself once believed he was. And therefore I must here take Notice, that upon the Hearing, I observed, that *Mr. Boyce did not take out the Licence*, and assigned these two Causes for that Omission, *viz.* Either that *he knew of Miss Hudson's Contract with me*; or, that *she had not consented to marry him* when the Licence was taken out. But this by a learned Gentleman was thought to be *carrying the Matter too far*, who said, that from my granting that Mr. Boyce set out with serious and good Intentions, he would rather conclude, that Mr. Boyce knew nothing of the Contract; because if he had, he would not have married her. A kind Advocate!

Now should I argue, because Miss Hudson set out with serious and good Intentions, at least appeared to me to do so (and I had greater Opportunities of making a Judgment of her serious Intentions than I had of Mr. Boyce's) that she knew nothing of the Contract, purely because she married Mr. Boyce, I believe, even that learned Gentleman would

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at this Time think this a strange Method of Reasoning.

Let him see whether he will like this better, Mr. *Boyce*, from the Time that Miss *Hudson* had confessed the Contract to him (which she did before the 3d of January following the Marriage) *knew of the Contract*, and from the Time that he had perused the Doctors Opinions, he *knew the Validity of it in Law and Conscience*; and, therefore, that he should, notwithstanding such Knowledge, cohabit with her before a Sentence was obtained, is to me a manifest Proof, that *he could make no Scruple of running the Hazard of Adultery*; and that he was determined to have lived with her, whether the Sentence had been for or against him; and so much, as I have been informed, he had declared long before the Trial. And should *only* this Particular reach the Ears of the Right Rev. Prelate to whom he shall apply for Holy Orders, it may, perhaps, be attended with such Consequences as will nearly affect him as long as he lives.

Little Sins eat out Conscience by Degrees, but Great ones frequently destroy it all at once, especially when Men are *resolved to defend them*; and therefore, though Mr. *Boyce* might have a Regard to Conscience before, yet after he had married Miss *Hudson*, and more especially if *he knew of her Contract with me before he married her*, which certainly

78 *The C O N T R A C T Violated:*

tainly there is some Reason to suspect he did ; (and that he did not, we have nothing but his own Affirmation) it is no wonder if he was no longer so highly favoured. After he knew of the Contract, and had had the Opinion of Dr. Brooke, and had seen those of Dr. Paul and Dr. Strahan, it would have become a Man of much better Parts and riper Judgment than I believe he will pretend to, to have consulted with some eminent Divine, and to have followed his Direction : Instead whereof, though a *Divine of an excellent Judgment and equal Probity*, had declared, that he was of Opinion, that Mr. Boyce ought to abstain from Miss Hudson till a Sentence should be obtained, and though Mr. Boyce knew that eminent Divine was of that Opinion, yet he continued to live with her. If Mr. Boyce is at all desirous of vindicating himself so far as to shew that he had a Regard to his Duty and to Conscience, let him shew what eminent Divine he advised with, and what Advice he gave him.

Mr. Boyce pretends (and who in the like Circumstances would not?) that he knew nothing of Miss Hudson's Engagements to me before he married her. Her Letter of the 23d of July, will shew what Sentiments she then had of her Engagement to me ; on the 24th, about Four in the Afternoon, she paid me all the Compliments she could out of her Chamber Window, and with the greatest seeming

seeming Complacency; on the 25th, *not above an Hour before Mr. Boyce came to her,* she ordered Penticross to give her dear Respects to me as *her Spouse:* And if she could receive Mr. Boyce's Addresses so soon, or give him the least Encouragement; nay, if she did not declare to him that she could admit of no Addresses from him, or any other Man, but me, she will, I believe, be universally allow'd to be such an Example of *Hypocrisy*, and a great deal more, as has not appeared for many Centuries. If she did mention my Name, and the Engagements that were between her and me, to Mr. Boyce, and he could, by the Assistance and Threats of her Mother, still persist to solicit her to break her Promises, he is very well qualified for *such a Partner.* For my own Part, I cannot but think the Method of obtaining the Licence, and the Secrecy of the Marriage, are sufficient Proofs that *she had told the Father and Son of all.* Sir John was very fond of the Match, Mrs. Hall had consented to it, the young Spark eagerly desired it, and therefore, unless Miss Hudson herself had not consented, there could be no Reason for such *clandestine* and *suspicious* Transactions, *but the Knowledge of what had passed between Miss Hudson and me.* If Mr. Boyce, who pretends to have been utterly ignorant of Miss Hudson's Contract with me till after he had married her, desires to be believed in that

## 80 *The C O N T R A C T Violated:*

that Particular, let him shew what other Reason than is here assigned by me, there could be for such secret and suspicious Proceedings. This I am of Opinion he will never be able to do; but if he should, it would not much avail to shew his tender Regard to Honour and Conscience, because when he thought and believed Miss *Hudson* to be my Wife according to *Law* and *Gospel*, he could and did offer me an *ample Reward* to give her a Release, (that is, in other Words, to sell my Wife to him) and to continue silent, while he procured an *Act of Parliament* to confirm his (then at least doubtful) Marriage with her.

I have been told by some Gentlemen, that no Body thinks ill of me for my Behaviour towards Miss *Hudson*, and that therefore I need not concern myself in the least for my *Character*, especially because that was sufficiently cleared by the Judge at the Trial, and in giving Sentence; and this, in order to dissuade me from publishing any thing in my own Vindication: But nevertheless the many false Reports that have been raised, will, I believe, shew, that it *befoved me to clear myself even from the Suspicion of Ill.*

Soon after the Marriage, it was given out, that I had sent Miss *Hudson* Copies of those Letters which I received from her; and this was so industriously and confidently reported, that I fear some of those who wished me well,

well gave Credit to it, at least the first Person that told me of it, and that an old Friend, let me into the Knowledge of it in such a Manner, as convinced me, that even that Friend, at that Time, thought it might be true. The Letters are now publick, and every Reader will soon discover by the Contents of them, that it was impossible for me to send her a Copy of any one of them.

It has been long reported, and very lately too, for I was told so by a worthy Gentlewoman on the First of October last, that Miss *Hudson* had her Letters out of Books; if she had, let it be shewn where she had them; there was no such Thing alledged in the Cause; nor, was it true, do I see how it would excuse her, or affect me; since, let her have them where she will, she has made them her own by copying and sending them to me. For my Part, I know but of *one Book* out of which she could have them, and that is *so dark a one*, that I believe no Man will ever be able to read and understand it, unless this Case shall make it legible and intelligible, her own —— *Heart*.

And to shew what Industry has been used to rake up any thing, true or false, that might reflect on me, a Report has been lately spread, and Mr. *Dobson* charged as the Author of it, that I was aiding and assisting to Mr. *Johnson*, Apothecary of *Witney*, in stealing and marrying his first Wife, the Sister of

82 *The CONTRACT Violated:*

the above-mentioned Mr. *Dobson*. This, I suppose, has been cherished and spread abroad to mitigate the Behaviour of Mr. *Allen* and Mr. *Lamprey*, and to shew my Unreasonable-ness and Partiality in blaming those Gentle-men for doing what I myself had done, and not with so good a Grace: But whether that be the Case or not, I affirm, and take upon me to prove it by the *Register of Witney*, that Mr. *Johnson* had not only married Miss *Dobson*, but had had two Sons by her before I had ever seen the Face of either of them, or had been so near the Town of *Witney* as *Eynsham-Ferry*, oe knew any one Person in it.

I have been told by many, and Persons of Credit, that Sir *John Boyce* has declared the Contest between Miss *Hudson* and me cost above 500*l.* Mr. *Searle's* Bill I saw, and that did not amount to 150*l.* and therefore Sir *John Boyce*, to confirm the Truth, ought to declare how he disposed of the rest; for my Part I cannot tell, neither will I presume to gues; tho' I believe others will find out a proper Person for Sir *John Boyce* to give a good Sum to; provided the Knight spoke Truth in this Particular, which from a well known Talent of his, I declare I think he did not.

Since it has been commonly reported, upon what Grounds I say not, that Mrs. *Hall* was in Love with me, and my Witnesses were asked,

asked, whether I ever made my Courtship or Addresses to her? I think myself obliged to declare, that I never entertained *a Thought of any such Thing*, and that she was always the least in my Favour of any Woman I ever knew that pretended to be a Gentlewoman. The Knight swears that I called her *an ill-natured Bitch*; (Beast I own) and all my Acquaintance know with what Carelessness and Contempt I always treated her. Mrs. *Boyce* must very well remember, for I am satisfied she can never forget it, that about the 5th of November, 1728, I told her Mother before her Face, of all her mean, pitiful, and shuffling Tricks, and that she broke out into Tears, and said, “God help me, if no Body had a better Opinion of me than you have;” and that I replied, “Madam, no Body that I ever talked with about you has, only no Body is so just to you as to tell you what Opinion he has of you, but myself:” And that I immediately turned her out of my House. And I can affirm, that even to this Day I cannot recollect any one Person who ever spoke favourably of her to me. And therefore, though Sir *John Boyce* and Mr. *Allen* swear (what I never heard them speak) favourably of her, I believe Mrs. \* *Kight’s Character*, how far foever

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\* App. 3.

from a full one, will be allowed to be much more just by all that ever knew Mrs. *Hall*. I have already declared, that I have no design to give a full Character of her: As to her Justice and Honesty, Mr. \* *Wilmot*, Bookseller in *Oxford*, can satisfy all those who shall think fit to enquire of him, how she practised those Virtues.

I have been often asked why I did not marry Miss *Hudson* when I might? To which I now answer, Because I could neither take a false Oath myself, nor desire another to swear, tho' ignorantly, what I knew was not true: Besides, I thought it would have given occasion to my Enemies (however they became so) to cast Reflexions upon me, had I married her while she was under Age; it might then have been said, that I had indeed beguiled a Girl.

I must be excused for taking Notice here, that the Knight's and the Esquire's whole Endeavours have been to screen themselves, forsooth, from all Blame; and to shew that they, poor Innocents! knew not a Tittle of Miss *Hudson*'s Engagements to me before her Marriage; and thereby have laid (as far as it was in their Power) all the Baseness of that Action upon Mrs. *Boyce*, who certainly is utterly inexcusable: But nevertheless one would

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\* He cannot have forgot the two Catalogues.

think,

think, that they might have been so favourable to her, as to have owned themselves chargeable with some Part of the Guilt; which I am fully persuaded (and, if I mistake not, all that shall read this Case will be of the same Opinion) they might have done without the least Violation of Truth. I affirm, that I have been informed by Persons of undoubted Credit, that she has often told the Knight and the Esquire to their Faces, since she was cited into the Arches, that they knew every thing before her Marriage, that they have done since, and I declare, I am still so favourable to her as firmly to believe they did. Every Body must see, that so much Guilt has been contracted as is too great a Burden for any one Person to bear; and therefore (I think) the Knight and the Esquire ought in pure Gratitude and Pity to Mrs. Boyce to take their Shares of it.

Mr. Boyce has, at my Expence, and very great Fatigue, got this great Advantage, that *he can now hold Mrs. Boyce fast*, and his Children will be here esteemed (how they may appear in Heaven is their Business to enquire) undoubtedly legitimate; whereas, had I accepted of the Reward that was offered me, and never cited Miss Hudson into the Arches, and should she have proved fickle (and to suppose that she might, can, I think, now argue no Uncharitableness) she would have had it in her Power after I had been

86 *The CONTRACT Violated:*

rotten in my Grave, and he himself dead, and sooner, by marrying another, to have bastar-dized his Children, by Vertue of her Contract with me. The Sentence obtained by me will therefore be interpreted by the learned and impartial Reader a great Service to Mr. *Boyce*; a Service which may be allowed to deserve Thanks, tho' I expect none for it.

Since I have in this Case mentioned many Particulars which might have been pleaded in my Libel, and would certainly have been admitted by the Court, it may perhaps be wondered why they were not: When I gave Instructions for drawing my Libel, I was not willing to expose Miss *Hudson* (thinking her then my Wife) one Jot farther than was ab-solutely necessary to obtain a Sentence in Fa-vour of our Contract, nor to give her any unnecessary Temptations to perjure herself, which I feared the charging her with the Caresses I received from her, might have been.

I must own, that I suggested to Mr. *Boyce*, that I had a Witness to the Contract (and I am still persuaded, that I might have had two had I desired it, or entertained the least Suspicion of her Honour, or Fear of her Constancy and Resolution) which I did to preserve Miss *Hudson* from the Guilt of Per-jury; (I wish that would have done it) but if that was a Fault, and the Reason given will not excuse it, I ask Pardon for it. And I  
will

will add, and I flatter myself my Letter to Mrs. *Hall* will gain me Credit in this Particular, that I was so fully assured of her Honour and Constancy, that, had she offered to have contracted herself to me over again, and in the same Manner, in the Presence of Mr. *William Meals* (who was trusted by us both) and *John Penticross*, I am satisfied I should have been so far from accepting it, that I should have blamed her for it, and interpreted that Offer as an Insinuation that I entertained an ungenerous Distrust of her *Faith* and *Vерacity*.

To shew how willing I am to do Justice to every Body (if that will do it) I declare I am satisfied that Lady *Boyce* was as ignorant of Miss *Hudson's* Marriage, as I was myself.

I hear Mrs. *Boyce* is now got very bold and stout; and should she be thoroughly hardened too, I should not wonder at it; those that perverted her may very reasonably be expected to harden her. Mr. *Boyce* (who, I own, has no Credit with me) told me, that she was very careless, and valued not what I could say or write of her; but nevertheless I am well satisfied, that soon after her Marriage, she had a full Sense of the vile Action she had been guilty of, and that she was very melancholick upon it. It has been so publickly reported, that I believe most People in and about *Oxford* have heard, that the Monday after the Marriage, Lady *Boyce* went

to visit her at *Barton*, and finding her dull (which I suppose her Ladyship had heard, and therefore went to comfort her) said to her, " What, dull, my Dear? You should be enjoying yourself." And that she replied, before Mr. *Boyce* his Face, " Enjoying myself! Madam, I never expect a Day's Enjoyment while I live ; " and this, I believe, Lady *Boyce* will not deny.

Mrs. *Bartholomew* told me, that she had taken her to Task for having used me so ill ; and that all the Excuse she made to her, was, " It (meaning her Marriage) was done, and could not be holpen."

The Widow *James* of *Eynsham*, a Woman of very good Reputation for Sobriety and Veracity, told me, that soon after the Marriage of Miss *Hudson*, Mrs. *Hall* came to her and discoursed with her about the Fatigue she had had with her Daughter ; and that she said to Mrs. *Hall*, " Sure, Madam, you have a very obedient Daughter who could marry another so soon after she had gone so far with Mr. *Goole*." And that Mrs. *Hall* replied, " I was too hasty ; but to tell you the Truth, Neighbour, she could not help it, for we forced her." Mrs. *Hall* never was used, I believe, to speak in a Royal Stile, and therefore I take it for granted, that the Knight at least was included in that *We*, and how many more might, I will not say ; Sir *John Boyce*, and another Confederate

rate of Mrs. *Hall's* and his (whom I will not name) best can tell.

All these Particulars are to Mrs. *Boyce's* Advantage, and designed so by me; and I declare farther, that did I know any thing else that would in any measure tend to mitigate her Fault, I would with more Pleasure have published it, than I have those things that bear hardest upon her. And I appeal to every Body with whom I ever discoursed about her, and my very unfortunate Correspondence with her, whether I did not constantly, during our Contest, excuse her as much as possibly I could; and whether, when she has been used as every Body but me thought she deserved, I have not desired that she might be spared till I could learn the whole Truth from her own Mouth, which now I never expect to do, but own, I should yet be glad to come at it any other fair Way.

After all, if Miss *Hudson* was either craftily and knavishly deluded, or forced to marry Mr. *Boyce* (and if she was either of the two, she will be very much wanting to herself if she does not publish how and by whom) she is even yet somewhat to be pitied; if not, all Men must be alike to her, and I am most happily delivered from her; and was I sure of this, I should think myself obliged to return Publick Thanks for my Deliverance.

Should

90 *The C O N T R A C T Violated:*

Should any Gentleman mentioned in this hasty, inaccurate and incoherent Narrative, who may think himself treated with too much Freedom, expostulate with me for it by Letter, Carriage paid, he shall be sure of a proper and Gentleman-like Answer; and if he shall chuse to publish an Answer to it (with his Name in the Title Page) which shall be allowed to be Gentleman-like and just, he shall have a suitable Reply: In which, should he convince me, or any Man of Honour, that I have been guilty of any Injury or Indecency, I will not only confess my Fault, but thank him for making me sensible of it. And should the same Spirit of Injustice, which has loaded me with irreparable Injuries and groundless Calumnies, prompt any one to answer me with scurrilous and undeserved Reproaches, I shall pity him, and despise them.



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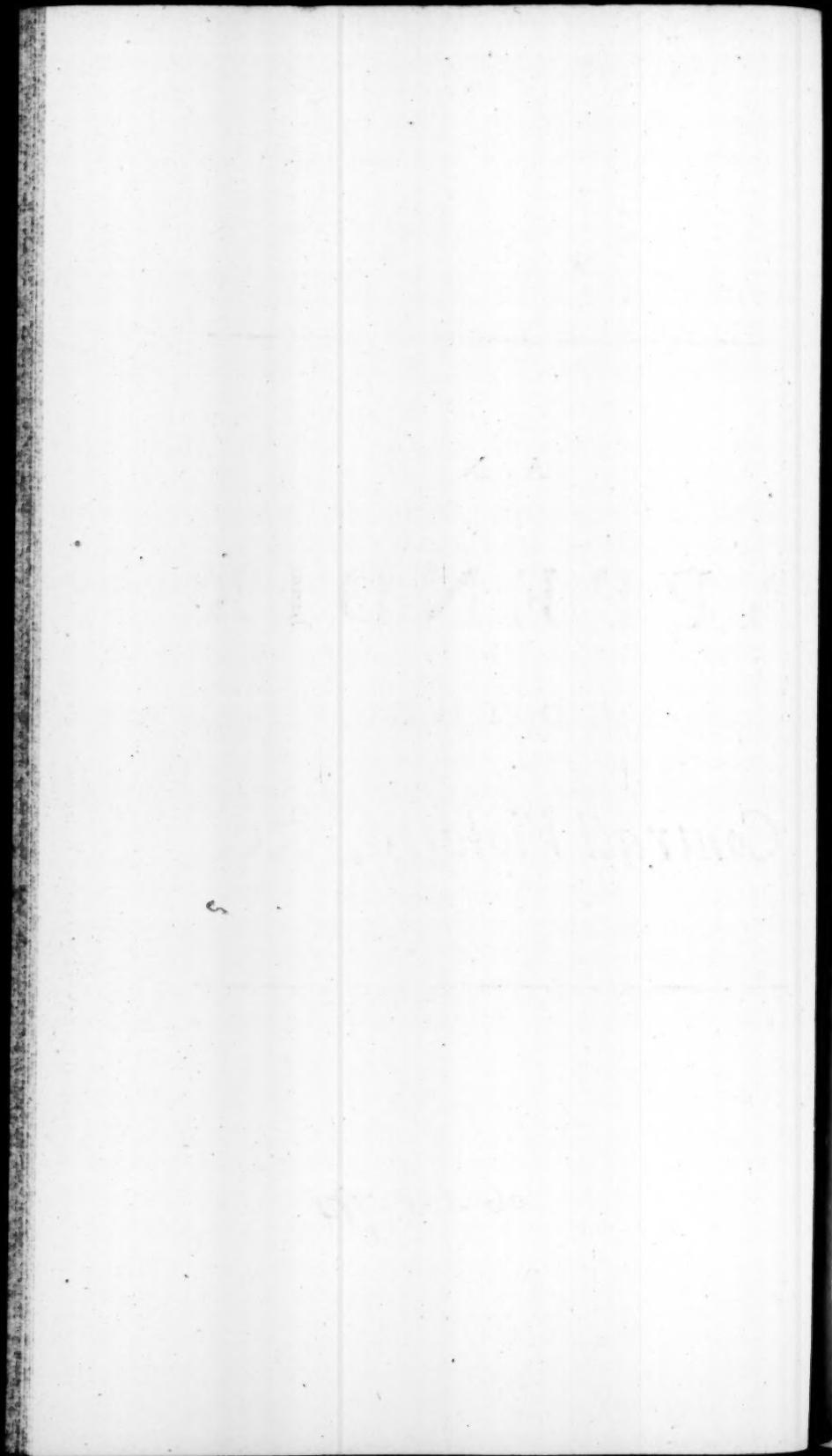
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# APPENDIX

TO THE

*Contract Violated, &c.*

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# APPENDIX

TO THE

## *Contract Violated, &c.*

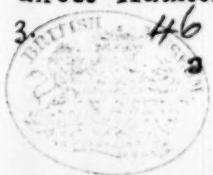
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### NUMBER I.

*The Whole Duty of Man, Sunday 15, Par. 18.*

**B**UT above all Things, let all take heed that they make not such Marriages, as may not only be ill in their Effects, but are actual Sins at the Time; such are the Marriages of those *that were formerly promised to some other*; in which Case, 'tis sure, they rightly belong to those, to whom they passed the first Promise; and then for any other to marry them, during the Life of that Person, is to take the Husband or Wife of that other, which is direct Adultery, as St. Paul tells us, Rom. vii. 3. *46-1-8-184*

*The*



2 APPENDIX.

*The Case and Queries, agreed to by Mr. Boyce  
and Mr. Goole; and Dr. Strahan's Opinion  
upon them.*

*A. B.* single Woman, aged 19, (without Consent of Friends) enters into an absolute Contract, *de præsenti*, of Marriage, with *C. D.* After such Contract *A. B.* *de facto* marries *E. F.*

1 Q. Is it in the Power of *C. D.* to give *A. B.* such a Release from the Contract aforesaid, as will make her Marriage with *E. F.* legal and valid?

A Contract *de præsenti* is a real Marriage, and only wants the outward Form and Ceremony: And it is not in the Power of the contracting Parties to release one another from such Contract. I don't think the Woman's being a Minor, and her entering into this Contract without Consent of Friends, will much vary the Case. For she was of sufficient Age to contract Matrimony; and, altho' she ought not to have entered into such Contract, without the Consent of her Parents or Guardians, yet the Want of such Consent does not destroy the Contract, no more than it would destroy a Marriage solemnized in the Face of the Church.

2 Q. If such a Release may by Law be given by *C. D.* would it not be proper for *A. B.* and *E. F.* to solemnize Matrimony again?

As no such Release can by Law be given by *C. D.* it would be to no Purpose for *A. B.* and *E. F.* to solemnize Matrimony over again. For the Contract, which cannot be released, remains still a Bar to any subsequent Marriage.

WILLIAM STRAHAN.  
*Doctor's-Commons, Jan. 10, 1731-2.*  
*Another*

# A P P E N D I X.

3

## *Another Opinion upon the same Case and Querries.*

By the Canon-Law, as it is received in *England*, and become Part of the Laws of the Realm, a Contract in Words of the present Time, seriously and solemnly made, is, in Truth and Substance, Matrimony indissoluble. It has been the general Opinion of learned Divines and Lawyers, that, *tho' there should be no Evidence, according to the Rules of the Law, of such Spousals*, the Parties having really, *tho' secretly, contracted themselves*, yet they are thereby become so far Man and Wife before God, that neither can, with a safe and good Conscience, marry elsewhere, so long as the other Party liveth.

A Woman may contract herself absolutely when she is *Pubes*, which is deemed at Law a Ripeness of Age fit for Marriage, in Women at 12, in Men at the Age of 14 Years.

Upon the whole Case therefore, I am of Opinion, that *A. B.* aged 19, by entring into an absolute Contract of the present Time with *C. D.* may be compelled, by Ecclesiastical Censures, to solemnize a Marriage with him in the Face of the Churcrch; and that the Marriage with *E. F.* will (upon proper Proofs of the above-stated Contract) be adjudged null and void in Law.

I am induced to be of the above Opinion from the Text Law in the Decretals, *Lib. 4. Tit. 1. ch. 31.* The Words are,

*Si inter Virum & Mulierem legitimus Consensus interveniat de præsenti, ita quod unus alterum mutuo consensu verbis consuetis expresso accipiat, utroq;*

a 2

*dicente*

4 APPENDIX.

dicente "Ego te in meam recipio," & "Ego te in  
"meum," vel alia verba Consensum exprimentia de  
præsenti, sive sit Juramentum interpositum, vel non,  
non licet alteri ad alia Vota transire, quod si fuerit  
secundum Matrimonium de facto contratum (etiam si  
sit carnalis copula subsecuta) separari debet, &  
primum in suâ firmitate manere.

Copied by me  
John Wesley,  
Jan. 17.

G. PAUL,  
Doctor's-Commons,  
Jan. 11, 1731-2.

SWINBURNE'S Spousals, Sect. II. Par. 19.

Albeit there be no Witnesses of the Contract,  
yet the Parties having verily (tho' secretly) con-  
tracted Matrimony, they are Man and Wife be-  
fore God; neither can either of them, with safe  
Conscience, marry elsewhere, so long as the other  
Party liveth; for Proof is not of the Essence of Ma-  
trimony; and, if it were, yet their Consciences  
shall be as a thousand Witnesses before the Tri-  
bunal of the immortal God, though it be other-  
wise in the Judgment of mortal Man.

These, with the Opinion of Dr. Brooke, and  
another, which I esteemed equal to all the Civili-  
ans, are the Authorities upon which I cited Miss  
Hudson into the Arches.

NUMBER

# A P P E N D I X. 5

## NUMBER II.

*Mr. GOOLE his Libel.*

— He alledgedeth,

I. *Imprimis*, THAT in or about the Month of *April*, 1731, the Rev. Mr. *John Goole*, of *Witney* in the County of *Oxford*, Clerk, being a Widower, and free from all Matrimonial Contracts, did make his Courtship and Addresses, in the Way of Marriage, to *Margaret Hudson*, then living with her Mother Mrs. *Margaret Hall*, Widow, in the Parish of *Eynsham* in the County of *Oxford*, a Spinster, of the Age of 19 Years and upwards, and free from all Matrimonial Contracts; and such his Addresses were well received, liked and approved of by the said *Margaret Hudson*. And this was and is true, publick and notorious, and well known to the said *Margaret Hudson*, now calling herself *Boyce*; the pretended Wife of *John Boyce*, Esq; the Party in this Cause.

II. Item, That some time in *Easter Week* in the said Month of *April*, the said *John Goole*, the Party Proponent, wrote and sent two Letters to the said *Margaret Hudson*, calling herself *Boyce*, which she received, and on or about the 5th of *May* following, she the said *Margaret Hudson*, calling herself *Boyce*, wrote a Letter with her own Hand, marked No 1. and sent it to the Party Proponent by one *John Penticross*, wherein she acquainted him, that her Mother was gone from home, and desired to see him that Afternoon, and bade him, the said *Penticross*, carry such Letter directly to the said Party Proponent, who was then at *Witney*,

## 6 APPENDIX.

which is three Miles from *Eynsham*, which he accordingly did.

III. *Item*, That the said Party Proponent, immediately upon the Receipt of the said Letter (to wit) the same Day, waited upon the said *Margaret Hudson*, now calling herself *Boyce*, at her said Mother's House, at *Eynsham* aforesaid, where being kindly received by the said *Margaret Hudson*, now calling herself *Boyce*, he, the said Party Proponent, after some Discourse between them, kneeling on his Right Knee, said, " Dear Miss, I here solemnly, in the Presence of God, engage myself to you; you shall not now engage yourself to me, you shall take your own Time for it." And thereupon the said *Margaret Hudson*, calling herself *Boyce*, took him up, and said, it was all one as if she had, or Words to that Effect.

IV. *Item*, That the said Party Proponent, after he had engaged himself to her the said *Margaret Hudson*, calling herself *Boyce*, as pleaded in the foregoing Article, desired her to endeavour to find out her Mother's Inclinations and Intentions, and to know whether she would consent to their being married together; which she promised to do.

V. *Item*, That the said *Margaret Hudson*, calling herself *Boyce*, did, in Pursuance to the Desire of the said Party Proponent, mention his Name, and the Esteem and Value he had for her, to her said Mother; who said, She never would consent to their being married together, and gave her said Daughter strict Orders to slight and neglect him, and not to see him. And she, the said *Margaret Hudson*, calling herself *Boyce*, then wrote to the said *John Goole*, the Party Proponent, acquainting him, that her Mother would not give her Consent;

## A P P E N D I X. 7

Consent; which Letter, marked No 2, she sent him by the said *John Penticros*.

VI. Item, That thereupon the said Party Proponent wrote a Letter to the said *Margaret Hudson*, calling herself *Boyce*; and, by reason that her Mother was averse to, and would not consent to their intended Marriage, he therein offered to desist from his Pretensions, and resign her; and she, the said *Margaret Hudson*, calling herself *Boyce*, then wrote another Letter to the said Party Proponent, dated the 16th Day of *May*, 1731, marked No 3. and sent it to him by the said *John Penticros*.

VII. Item, That the said Party Proponent, and the said *Margaret Hudson*, calling herself *Boyce*, between the said 16th Day of *May* and the 22d Day of the same Month, met several times together privately; and she the said *Margaret Hudson*, calling herself *Boyce*, having, between the said Times, appointed to meet him at the House of the aforesaid *John Penticros*, and disappointed him, and not met him according to her said Promise, and being fearful that their Meetings would be discovered by her Mother, wrote a Letter, dated the said 22d Day of *May*, marked No 4. and sent it to him by the said *John Penticros*.

VIII. Item, That the said *Margaret Hudson*, calling herself *Boyce*, on or about the 28th Day of *May*, wrote another Letter to the said Party Proponent, marked No 5. and sent it to him by the said *John Penticros*, wherein she acquainted and directed him where, and in what manner, he should meet her; and they accordingly, several times after that, met together, in the Manner, and at the Place, in the said Letter mentioned; and on the 7th Day of *June* following she wrote

## A P P E N D I X.

the Letter marked No 6. and sent it to him the said *John Goole*, by the said *John Penticros*.

IX. Item, The Party Proponent, for Supply of Proof of the Premises, doth exhibit, and hereunto annex, the said several Letters, marked No 1, 2, 3, 4, 5, and 6, and doth alledge, that they are totally wrote and subscribed, and the Covers of the Letters marked No 1 and 5, superscribed by and with the proper Hand-writing of *Margaret Hudson*, calling herself *Boyce*, the Party in this Cause, and so well known to be by several Persons who have seen her write, and are well acquainted with her Manner and Character of Hand-writing; and that the same were by her given and delivered to the said *John Penticros*, to carry to the said Party Proponent; and are the very same Letters that were by him received from the said *Margaret Hudson*, calling herself *Boyce*, and that were delivered by him to the said Party Proponent.

X. Item, That on or about the 10th Day of June following, the said Party Proponent being with the said *Margaret Hudson*, calling herself *Boyce*, in the Parlour of her said Mother's House, at *Eynsham* aforesaid; and she, the said *Margaret Hudson*, calling herself *Boyce*, speaking to the said *John Goole*, Party Proponent, said, "Dear Sir,  
" you have engaged yourself to me in the most  
" honourable Manner that ever Gentleman en-  
" gaged himself to his Mistres, and I think it is  
" time for me to engage myself to you," or to  
that Effect. And the said Party Proponent then  
answered, "My Dear, tho' I was resolv'd never  
" to press you to it, yet you may assure yourself  
" I shall accept of it with great Joy and Gratitude;  
" and, if you approve of it, I know of no Me-  
" thod more binding, or more sacred, than the  
" Office

## A P P E N D I X. 9

" Office of the Church, which I am sure I can repeat." To which she replied, " With all my Heart."

XI. Item, That the said Party Proponent, *John Goole*, and *Margaret Hudson*, calling herself *Boyce*, the Party in this Cause, did, thereupon, immediately contract true, pure and perfect Matrimony, to and with each other (*per verba de præsenti*) *ad id apta & idonea, mutuum eorum assensum & consensum exprimentia*, in the Manner and Words following, *viz.* He, the said *John Goole*, with his Right Hand taking her the said *Margaret Hudson*, calling herself *Boyce*, by her Right Hand, said, I, *John*, take thee, *Margaret*, to my wedded Wife, to have and to hold, from this Day forward, for better for worse, for richer for poorer, in Sicknes and in Health, to love and to cherish, till Death us do part, and thereto I plight thee my Troth. And he then letting go her Right Hand, said, My Dear, now you must take me by my Right Hand, which she did; and then he said to her, Say after me; and he then said the following Words, which she repeated after him, I, *Margaret*, take thee, *John*, to my wedded Husband, to have and to hold, from this Day forward, for better for worle, for richer for poorer, in Sicknes and in Health, till Death us do part, and thereto I plight thee my Troth. After which, the said Party Proponent said to her, " My Dear, I left out to love, honour and obey." To which she answered, " Ah, dear Sir, how came you to leave out those Words?" And he replied, " I don't know; but they should be in;" and she saying, " So they should;" he said, " Madam, you must begin again." And she thereupon with her Right Hand took him by his Right Hand, and he  
then

## 10 APPENDIX.

then said the following Words, which she repeated after him, *viz.* I, Margaret, take thee, John, to my wedded Husband, to have and to hold, from this Day forward, for better for worse, for richer for poorer, in Sickness and in Health, to love, honour, and obey, till Death us do part, and thereto I plight thee my Troth. And then the said Mr. Goole took a Ring out of his Pocket, with which he designed to marry her, and put it on the fourth Finger of her Left Hand, and holding it there, said, With this Ring I thee wed, with my Body I thee worship, with all my worldly Goods I thee endow, in the Name of the Father, of the Son, and of the Holy Ghost. And then the said Party Proponent said, "Now, my Dear, you are my Wife as much as ever you can be in the Presence of God." To which she replied, "Yes." And this was and is true, publick and notorious, and well known to the said Margaret Hudson, calling herself Boyce, and so much she knows in her Conscience to be true.

XII. Item, That for Supply of Proof of the Premises in the foregoing Article, the Party Proponent doth exhibit the said Ring, with the Inscription therein, *Crescat Amor*; and doth alledge, that it is the very same Ring which he put upon the fourth Finger of the Left Hand of the said Margaret Hudson, calling herself Boyce, as before pleaded; but she being apprehensive her Mother should search her, and find the Ring in her Possession, returned it to him, the said John Goole, to keep till their Marriage should be solemnized in the Church.

XIII. Item, That between the said 10th Day of June, 1731, and the 25th of July, the said Party Proponent wrote several Letters to the said Margaret

## A P P E N D I X. 11

*Margaret Hudson*, calling herself *Boyce*, which he sent by the aforesaid *John Penticros*, and were received by her; wherein he addressed himself to her as his Spouse, and subscribed himself her tender and affectionate Husband. And she wrote several Letters to him, in which she subscribed herself his Espouse.

XIV. Item, That the said *Margaret Hudson*, calling herself *Boyce*, between the said 10th and 27th of June, 1731, wrote the several Letters hereunto annexed, marked, N° 7, 8, and 9, and sent them to the said *John Penticros* to the said Party Proponent, which he received; and which Letters the said Party Proponent doth alledge are all totally wrote and subscribed by and with the proper Hand-writing of the said *Margaret Hudson*, calling herself *Boyce*; and are so known to be by several Persons who have seen her write, and are well acquainted with her Manner and Character of Hand-writing; and are the very same Letters that were by her delivered to the said *John Penticros*, to carry to the said Party Proponent, and which he delivered to him accordingly.

XV. Item, That on or about the said 27th Day of June, the said Party Proponent, being with the said *Margaret Hudson*, calling herself *Boyce*, and intending on the 29th of the said Month to go to London, desired her to write to him; and because her Letters were to go by the General Post, to alter her Method of Address, which she accordingly did, and wrote to him the Letter marked No 10. which Letter the Party Proponent doth also exhibit, and alledge the same is all of the proper Hand-writing of the said *Margaret Hudson*, calling herself *Boyce*, and so well known to be by several Persons who have often seen her write,

## 12 A P P E N D I X.

write, and are well acquainted with her Manner and Character of Hand-writing; and doth also alledge, that the same was by her delivered to the said *John Penticros*, to be sent by the General Post to the said Party Proponent in *London*, on or about the Day of the Date thereof, under a Cover, directed to *Thomas Martin*, Esq; at the *Grashopper* in *Lombard-street, London*, and was, by the said *John Penticros*, put into the General Post-Office.

XVI. Item, That the said Party Proponent, upon Receipt of the last mentioned Letter, wrote a Letter to the said *Margaret Hudson*, calling herself *Boyce*, and therein desired he might have a Letter from her as he returned from *London*.

XVII. Item, That the said *Margaret Hudson*, calling herself *Boyce*, according to the Desire and Request of the said Party Proponent, wrote a Letter to him, and delivered it to the said *John Penticros*, to carry to him; which Letter was brought by the said *John Penticros* to him at *Eynsham*, in his Way from *London*.

XVIII. Item, That the Party Proponent, for Supply of Proof of the Premises in the foregoing Article, doth exhibit the said Letter, marked No 11. dated *July* the 8th, 1731, and doth alledge, that the same is totally wrote and subscribed by and with the proper Hand-writing of the said *Margaret Hudson*, calling herself *Boyce*, and so known to be by several Persons who have seen her write, and are well acquainted with her Manner and Character of Hand-writing, and was by her, on or about the Date thereof, sent by the said *John Penticros*, to the said Party Proponent.

XIX. Item, That soon after the Party Proponent's Return from *London*, as before pleaded, the Mother of the said *Margaret Hudson*, calling herself

herself *Boyce*, having discovered, that she and the Party Proponent oftentimes met and corresponded together, did thereupon confine her said Daughter, and would not permit her to go from home, or suffer any Message or Letter from the Party Proponent to be delivered to her.

XX. Item, That notwithstanding the Mother of the said *Margaret Hudson*, calling herself *Boyce*, kept her said Daughter confined, as aforesaid, yet she found Means to convey to the Party Propo-  
nent, by the aforesaid *John Penticros*, the several Letters marked No 12, 13, 14, 15, 16, 17, which Letters the Party Proponent doth here ex-  
hibit, and alledge, they are totally wrote and sub-  
scribed by and with the proper Hand-writing of the  
said *Margaret Hudson*, calling herself *Boyce*, and so  
known to be by several Persons who have seen her  
write, and are well acquainted with her Manner  
and Character of Hand-writing, and that they  
were by her delivered to the said *John Penticros*,  
to carry to the Party Proponent, between the  
Time of his Return from *London* and the 25th of  
*July* following, which was the Day the last Letter,  
marked No 17. was delivered to the said *John Pen-  
ticross*, to carry to the Party Proponent; and the  
Party Proponent does alledge, that the several Ob-  
literations which do appear to be made on the said  
Letter, No 12. were so made by the said *Margaret  
Hudson*, calling herself *Boyce*, before she sent the  
same to the Party Proponent.

XXI. Item, That when the said *Margaret Hud-  
son*, calling herself *Boyce*, delivered the said Let-  
ter, marked No 17. to the said *John Penticros*,  
she ordered him to attend her on *Tursday* the  
29th Day of the said Month of *July*, in order,  
that she might give him some farther Directions re-  
lating

lating to the Correspondence she was then carrying on between her and the said *John Goole*, which he accordingly did, but did not see her; and on that Day she solemnized, or rather profaned, a pretended Marriage with *John Boyce*, of the City of *Oxford*, Esq;

The two remaining Articles being in *Latin*, and containing only Matter of Form, are therefore omitted.

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*Miss Hudson's LETTERS.*

NUMBER I.

*To the Rev. Mr. GOOLE at Witney.*

S<sup>r</sup>.

MY Mamma is gone to *Bletchington*, and to continue there till *Thursday* next, so if you are not otherways engaged, I shall be glad of your Company this afternoon. I am,

*SIR,*

*May the 5<sup>th</sup>,*

*Your humble Servant,*

1731.

M. H.

NUMBER II.

*Dear S<sup>r</sup>,*

I Have talk'd with my Mamma at a distance, and slightly mentioned your Value and Esteem for me; for I thought it would not be so proper to tell her directly you Loved me; and I find she is resolved never to give her consent, and declared further, that she had rather follow me to the Grave

Grave then see me Yours; and charged me on my duty, to give you no encouragement, but slight and neglect you as much as possible; and if you offer any thing of that Nature to her, she will forbid you the House.

I desired to know what objections she had against you; she answered me several, but the greatest was, you could not settle answerable to my Fortune (If I married with her consent) tho' if I married without it, she would give but little; and, what ever pretences of Love you made to me, your chief design was upon my Fortune, and that I should find when I was in your Power.

*Madam, Mr. Goole dont desire to touch my Fortune, but will leave the settling of it to my own liking; but even that will not do, for she is fixed as fate, and it is impossible to move her; so I must of necessity be unhappy or disobedient. Be it which way it will, you shall always have a place in the affections of*

May 11, 1731.

M. HUDSON.

### NUMBER III.

YOUR Absence, Dear Sir, would be insupportable, were I not relieved by those tender and affectionate Expressions I receive from you in your Letters, which, I believe (or at least flatter myself) they come from the Heart.

*You tell me in your last, that you will resign me to any other that I thought could make me happy; but don't wrong my Love, nor think I can be capable of asking so unjust a thing; or if any thought that would be prejudicial to you, should rise in my Soul (which I can scarce think there will) yet it would not continue long, for your Idea is fixed in my breast,*

## 16 APPENDIX.

*breast, so that it is impossible for time, or absence, or any thing but death to remove it.*

You seem not to be apprehensive of my Mamma's disposing of me to any other, tho' she hinted something of that nature to me, and say'd, he had a large Estate, and kept his Coach; but who it is I cannot tell, but perhaps shall hear more of it, and when I do I will let you know.

It is not the vain pomp of a Gay Equipage that can dazzle my imagination, so much as to make me part with that peace and tranquility I hope to enjoy with you. I am,

*Dear Sir,*

*Your humble Servant,*

*May 16th, 1731.*

M. H.

## NUMBER IV.

*Dear Sir,*

I AM very sorry I should trespass upon your patience in making you wait so long, and to disappoint you at last; but I hope you will be so good as to excuse it, For my Mamma, seeing you ride by, kept me so close all the rest of the Evening, that it was impossible for me to come to you, without being discovered; and I am so narrowly watched abroad, that if I escaped her Eye, I was fearfull I should not the rest.

I expect every day my Mamma will be informed of our Meeting, so I thought it would be proper to tell her I saw you accidentally one Evening as you passed by; and that several People saw you speak to me; and that I heard since, that they say'd, I went on purpose to meet you. So, I hope, I have prepared her for the worst that can

## APPENDIX. 17

can be sayd of us; however, she is pretty easie for  
the present, but whenever she sees you are in  
Town, she is very watchfull of me, and dont care  
I should go out of her Sight.

Tho' I am deprived of that innocent pleasure which I enjoyed in your conversation, pray write to me, that I may have that unspeakable satisfaction of reading your thoughts. I hope it will not be in the power of any person to put a stop to our correspondence, tho' they have to our meeting.

I was exceedingly concern'd, that I should be so unfortunate as not to see you at the time appointed; and more so, because I fear you was very uneasy at my disappointing of you, tho' it was what could not be hope.

Pray dont discompose the quiet of your mind  
upon the account of

*May the 22d, 1731.*

M. HUDSON.

NUMBER V.

To the Rev<sup>d</sup> Mr. GOOLE, Present.

*Dear Sir*

I CAN now inform you something more of your intended Rival, tho' I have not seen him yet, but my Mamma and I have had some discourse about it; and I find it is the Gent. that has the Mortgage of the Estate my Mamma has lately purchased; and when the Money is paid (which will be some time next month) there will be an Interview.

But I have made some objections already, which are these: he has a Mother and two Sisters lives with him, and he is a Farmer; \* and besides all  
b this

this (he is one, by what I have heard) that has not had a Liberal Education; and the conversation of these Farmers seems so disagreeable to me, that, tho' they may make good Bailiffs, I can scarce think they can be good Companions.

But in answer to this, my Mamma tells me, he has a good Estate and that will make up all defects.

That may, Madam, with Persons that prefer money before every thing else, but I dont care to Sacrifice myself to one I cannot love.

I am afraid the person you like is Mr. Goole; but sure you will not be so mad as to marry him, one that has neither honour nor honesty, and only wants your fortune to pay his debts, and will keep a Mistress under your Nose. Nay, if you will have him, I assure you, neither of you shall come within my Doors any more, but I will give you what you are to have, and will have nothing more to say to you. I had rather you would marry any Body then him; and if you are in haste for a Husband, I can provide one as soon as you please.

I sayd, I was not in haste; neither would I marry yet, were it ever so much to my Advantage.

*Theo' I bear your absence as well as possible, yet I should be glad to have an Hour's conversation with you before you go your Journey; and I believe the safest way will be to come at Eleven at night, and I will leave the Garden-Door open, under the Filbeard Trees, that you may walk down, and I will meet you at the house-door.*

\* Mr. Bunce.

## A P P E N D I X. 19

I am sorry to give you so much trouble, and to expose you to the Inclemency of the Weather; yet I hope at that time of Night we shall escape all Eyes and Ears. Pray let me know what evening will be convenient for you, because it is equal to me. I am,

Dear Sir,

May 28, 1731.

Your humble Servant,

M. H U D S O N.

### N U M B E R VI.

My dearest Love,

T H E only pleasure I can enjoy, without conversing with you, is to hear you are well, and that you got safe home; for I must own I am anxious for your safety, when you are abroad so late: For how can I sleep contented, when my Guide, my Husband, Father, Friend, and all that is dear to me, is exposed to danger for my sake: And I am perswaded you are as much concerned least I should be discovered, tho' I have had the good Fortune to escape; and I believe she has not the least Mistrust of our Assignations.

I think it will be best to defer our Meeting on *thursday* till the time you appointed in your last; tho' it is hard to deny myself the satisfaction of your agreeable Company; yet, upon such an Occasion, I must submit.

If there is any thing that can be called Happiness on Earth I believe it is the Union of two persons, who love each other, without aiming at any Advantages by Love, then Love itself; Their Hearts are full, and leave no vacancy for any

other passion. I am continually thinking of you sleeping and waking; nay, when my mind should be otherwise employed, your Image steals insensibly between my devotions and me. And now I am laying open the State of my Soul; if it be not going too far to tell you, I loved you, when it was impossible for me to have the least return. I reasoned with myself how extravagant it was to indulge a passion which was against all Laws humane and divine, and struggled hard to overcome it, and made a hundred Resolutions not to entertain so much as a thought; but when you appeared, it all vanished, Love was to powerfull for a Woman, for we are weak in all respects, and more in this then any.

*You seem to have some slight Jealousy of this intended Rival. O! dont suspect my constancy, for had I not gave you a Vow, it would have been impossible for any thing to alter my Love: Was he Master of all the Eloquence of an Orator, it would be lost on me, for my heart is insensible, it is armed with Ice, and it is not in the power of any person to warm it but you; you only can give Ease to my Mind, and tune my Soul. All my future Happiness depends upon you; and to deserve all that Love and tenderness, which I hope you have for me, shall be the continual Study of*

*Your affectionate*

*June 7, 1731.*

M. HUDSON.

#### NUMBER VII.

**T**O hear my dearest Love got safe and undiscovered home, is a very great Satisfaction to me, and I am glad I can inform you I had the fame

## A P P E N D I X. 21

same Success. Tho' there happened an unlucky accident, which might have betrayed all; for you did not Latch the Gardendoor, and my Mamma was up first, and found it open, and the Horse that was in the Close got out and was not to be found, which made the person it belonged to enquire of us if any Body had been out of the Close-Gate after Eight a Clock at Night. But, however, it passed off very well, for I think no body can so much as suspect our meeting at such late hours, and little think we enjoy so much satisfaction in conversing with each other, for none but they that Love can tell.

I hope I shall be able to meet you at the time appointed, which will be the greatest Satisfaction imaginable to

Dear, Sir,

June 12th.

Your affectionate Love,

M. H U D S O N.

## N U M B E R VIII.

My Dearest Dear,

I Hope you got home safe without taking cold, tho' I was fearfull least any misfortune should befall you, tho' I had good success and got to Bed undiscovered.

The greatest happiness I can enjoy in this World is to converse with one who is so dear to me as you are: With what pleasure do I spend those few hours, and how soon do they pass away in your Conversation; for you are infinitely dearer to me than any thing upon Earth; all temporal enjoyments would be dull and insipid without you; nay, Life itself would become a burthen if I

22 A P P E N D I X.

were to be deprived of the only object I could Love in it.

I have read part of your Sermon, and am extremely pleased with your Instructions; and I will endeavour to Live conformable to those Rules which you have laid down for the regulating of my conduct; and, as I always shall have a desire to please, so if there is any thing you mislike in my behaviour I hope you will put the favourablest constructions upon it, for it is not my design to give the least offence in any thing, if I can help it, as long as I live, but to behave myself in all respects as I am in duty bound, and becomes

*Your dutiful and affectionate Spouse,*

June 19th, 1731.

M. H.

NUMBER IX.

*My Dear, Dear Love,*

IT will be the greatest satisfaction imaginable to hear you got Home without suffering any Injury from the weather; for the Air being Sharp, I could not help being fearful least you should take cold. I retreated very safe, and got to Bed without the least noise, and dreamt of you till five in the Morning.

You intreat me in your last not to love you to well, I would not willingly disobey any Command you lay upon me, but I cant comply in this; 'tis a thing impossible for me to do; I cant help loving you, you are dearer to me than Life, and I could sooner part with it then you. My passion is of to long a date to be extinguished by any thing but death. Tho' Absence oftentimes is a remedy for Love, yet that has had no effect on me;

## A P P E N D I X. 23

me; nay, even when I thought you had left me, and tho' I was exceedingly vexed with you, yet it did not last long, for my Love was Stronger than my anger.

The visissitude of humane Affairs, and, as you observe, Life especially is very uncertain, yet should any misfortune happen to blast our mutual happiness, I believe you will have so much Philosophy as to bear it patiently, and I hope I should to; but I trust wee shall neither of us be put to the Tryal; but enjoy all the Pleasures wee may reasonably expect from a Love so pure as ours is, which is the Desire of, My dearest Love,

*Your affectionate and dutifull Spouse,*

June 24th.

M. H.

I hope you did not come last night in the rain; if you did, I shall be exceedingly concerned at your disappointment.

## N U M B E R X.

*To the Rev<sup>d</sup> Mr. GOOLE.*

*Dear Sir,*

I AM extreamly glad to hear you had such a \* pleasant Journey, for I waited with a great deal of impatience for a Line or two from you, but could not have an Opportunity to receive it till this morning. Tho' the Lady knows you are gone, yet, I believe, she is apprehensive you will write to me, and for that reason is very watchfull.

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\* See Lib. Art. 15. and Ans.

24 A P P E N D I X.

What you left for me on *Tuesday* came safe to hand, and, were it possible, I would have put you out of pain long before this time, with that agreeable Account of my safe retreat; but I know you will be so good as to excuse my forced Neglect.

I have had an opportunity to be messured for what you mentioned; and am promised, that they shall be ready in a Fortnight or three Weeks at farthest.

I am as easy as 'tis possible for me to be, considering where I am, and who's Company is wanting to make the time pass away agreeably.

Pray dont suffer an anxious thought to discompose the quiet of your Soul on the account of,

*Dear Sir,*

*July 3d, 1731.*

*Your bumble Servant,*

M. H.

NUMBER XI.

*My Dearest Love,*

IT is with a great deal of reluctance that I deny myself the satisfaction of conversing with you, after you have been absent so long; but I intreat you not to come 'till *Friday* next, and then, at the usual time and place, I hope we shall be so happy as to see each other, Tho' I am of the Opinion, that there is only a Suspition of our meeting; Yet, for that reason, they will be very watchfull for an opportunity to confirm it.

I think it will be proper for me to stay where I am, till I remove for good. I would not give an occasion, if possible, for the least reflexion on my conduct, for you know that my honour is at stake, and my leaving my Mamma before we can be married,

## A P P E N D I X. 25

married, would be ground enough for the ill-natured part of the world to censure.

I dare not trust myself to write any longer, least I should contradict my first request, and desire you to come sooner then would be consistent with our safety. I am,

*My dear Love,*

*July 8th, 1731. Your affectionate Spouse,*

M. H U D S O N.

### N U M B E R XII.

*My Dearest Love,*

THERE is no possibility of seeing you any more at the usual place, for somebody saw you come from the Mill last time you was with me, and told my Mamma you was up all Night with me, and she now Locks the Door every Night herself, and takes the Key to Bed with her, and makes her own Door so fast, that I cant open it without a great Noife. She has charged me with seeing you at that time of Night ; but I denied that I did : And she dont believe me, but keeps so strict a guard upon me, that I can scarce have time to write, and find it very difficult to deliver my Letter to the Messenger.

O! my Dear, I will not wound your Soul with what she has sayd to me ; but its so much, that I would gladly have thanked any one that would have done me the kind Office to put an end to that Life, which will be the occasion of so much trouble to you ——————  
after we are married. ——————

————— I have sent you a Messure for the Aprons ; and am extreamly obliged to the young Lady for her kindness.

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ness. May you have all the Happiness this World can afford, and I hope in the next to, which is the desire of,

*My dearest Love,*

*July 13th, 1731. Your affectionate Spouse,*

M. H.

NUMBER XIII.

*My Dearest Love,*

IT is a very great satisfaction to hear you grant my request so readily, tho' I think it will be proper for you to keep where you used to be of a Sunday 'till we are married, least, by removing before, it should cause any Suspition.

I am tolerable easy at present, and hope to continue so 'till Sunday or Monday Sen'night, and then I hope to have an Opportunity one of them Afternoons to come down to the Mill, where I shall expect to find my dearest Love, and never part from him any more; for it will be impossible for me to get away in the morning, as we proposed at first. So if I can be so happy as to give my Mamma the slip; I will leave the rest to Heaven and you.

I have had a Letter from Mr. Taylor, and he tells me, that it is confidently reported at Woodstoke, that I am to be married to you, and he longs to know the truth, for he cant believe I would do any such thing, without my Mamma's consent: In answer to which, and to prevent his coming over, I intend to let him know there is nothing in it.

My Mamma tells me you have bragged of some favours at Mrs. Hungerford's; and that she should say,

## A P P E N D I X. 27

say, Tho' I dont know Mrs *Hall*, yet I will some way or other inform her what a design Mr. *Goole* has upon her Daughter. I only mention this, that you may be carefull of what you say there, least she should betray you.

I was messured at *Woodstock* for my stays, and he promised me to get them ready to fit on in a Fortnight or Threeweeks time. I told him I would not have him come to *Enshame* to fit them on, because I did not know whether I should be at home, but when that time was expired, I would send to him. I sayd nothing as to his keeping it a Secret, for fear he should tell. So I believe it will be best for you to take no notice that he is a making any thing for me.

I was at *Oxford* yesterday with the Old Lady, at Sir *John Boyce's*, and she has made a bargain for his Son and me, and as soon as ever he can get a Living for him, and he can get my consent, 'tis to be a Match. She hath been prodigious uneasy ever since the talk of my being up with you all night, and is so angry with you, that she will not come to Church any more already; and, if I marry you, she will sell the House, and live a Hundred Miles off, and never see nor hear of me any more.

I have sent your Sermon, and all your Letters but one, least she should search in hopes of making a discovery of our Intrigue. This being the last Letter I shall write to you for the present, least I should be discovered. I think I have mentioned all that is needfull, and I am sure I have tired your patience, but you'll excuse this trespass in

*Your most Affectionate Spouse,*

*July 15th, 1731.*

M. H.

NUMBER

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NUMBER XIV.

*My Dear,*

**I**F I cant get an opportunity to come to the Mill neither of them Days I mentioned in my last, I have but one way more, and that is to get out of the Cellar Window. So if you will be ready at the Garden-Gate, under the Filbeard Trees, a *Monday* Sen'night, at one a Clock, I hope I shall be so happy as to meet you there.

M. H.

NUMBER XV.

*My Dearest Love,*

**M**Y Mamma told me, she was not fully satisfied as to my Age, So desired Mr. *Whitehead* to look in the Register, and to-day she received a Letter from him, wherein he informed her, I was baptized *August* the 2d, 1711. This Account not agreeing with what you sent me some time since, surprizes me very much; for, I believe, there was no Artifice on Mr. *Whitehead's* side; however, my Mamma is very well pleased I am no more than twenty, and I did not contradict her. I desire, my Dear, you would employ somebody to look once more into this affair, for there must be a mistake in one or the other; and be satisfied, I will persue your last directions, if possible, as to the demanding of my Fortune, tho' I am afraid I cant get Mrs. *Bartholomew* to come; but I want to know, if her Daughter, or one Witness,

## A P P E N D I X. 29

Witness, will be sufficient; and whether I can demand it under Age.

As to the time you desired to know if I can get out on *Sunday*, it will be while you are at Church in the Morning, or else in the afternoon, or after Evening-Prayer. I cant set any time on *Monday*; but the first opportunity that offers, I will make use of it. Should both my designs be frustrated, I hope I shall be able to put my other design in practice, and succeed: Should it Rain very hard, then expect me the first fair day, and in case it should be so dirty that I cant walk to the Mill, then pray contrive some way to take me up at the Town's-End.

Pray tell *Penticrof's* that he must not come any more to the House, without a very good reason, for my Mamma thought it was a very frivilous Arrant last time; but I will endeavour to receive your Letters as usual, if possible.

Tho I am deprived of that happiness I enjoyed in your Company, yet your Letters, in a great measure, releive and compose my mind, even when it is disturbed, and almost overpowered with grief; what pleasures and happiness may I not expect from your Conversation: the tranquillity I shall then enjoy, will make amends for all the care and anxiety of the present time.  
I am,

*My dearest Love,*

*July 18th.*

*Your affectionate Spouse,*

M. H.

NUMBER

## NUMBER XVI.

*My Dear,*

HERE has happened an accident which obliged me to confess my intention to Marry you; at which, tho my Mamma at first was averse, yet upon further consideration, and my informing of her I was of Age, and could dispose of myself without her agreeing to it; and added farther, that I had promised you, and you had laid out 150*l.* upon Cloths for me and that I could not, neither would I go back from my promise, I am assured she will give her consent. She desired me not to Marry you till my Fortune was settled upon me; I assured her that it was your design so to do, not but I would take your Word; but since she desired it, I would comply in that respect, as well as I have done hitherto in every thing else; And added further, that I thought Judge *Beefton* would be the properest Person, she could employ in this affair, which I believe she will to agree. You will hear from her very speedily; and, in the mean time, I desire you would not expect me, as we proposed, for now every thing will be amicably made up, which I am sure will be a very great satisfaction to you and your affectionate Spouse.

M. HUDSON.

I did not own I received any Letters from you, but only Messages.

*July 23, 1731.*

NUMBER

N U M B E R XVII.

Sr.

I Have almost got her consent, and dont question but I shall fully in a little time, so I think it will be improper for you to come, as you designed; nor likewise to talk with her, 'till I find she is a little cooler. You shall hear further another time.

These Letters are published from my Proctor's Copies, and therefore any Mistake, the Originals being still in *Doctor's-Commons*, will be easily pardoned; but I know of none.



The

*The Personal ANSWERS of MARGARET BOYCE, alias HUDSON, Party in this Cause, made to the several Articles of a Libel, admitted on the Behalf of the Rev. JOHN GOOLE, the other Party in this Cause, follow, viz.*

**T**O the first Article of the said Libel this Respondent answers, That she believes the same to be true.

To the second Article of the said Libel this Respondent answers, That she believes the same to be true.

To the third Article of the said Libel this Respondent answers, and believes, That, soon after the \* articulate *John Goole* had received the Letter articulate, he came to the Respondent, at the House of her Mother, at *Eynsham* articulate, where the Respondent received him civilly. And that she the Respondent then refused to engage herself to him, without the Consent of her said Mother; and that thereupon, he, kneeling on his Right Knee, expressed himself in the Words articulate, or to that Purpose; and, otherwise, this Respondent does not believe, but denies the said Article to be true in any Part thereof.

To the fourth Article of the said Libel this Respondent answers, and believes, the Contents of the said Article to be true.

\* Mentioned in the Article.

To

To the fifth Article of the said Libel this Respondent answers, and believes the same to be true.

To the sixth Article of the said Libel this Respondent answers, That she believes the same to be true.

To the seventh Article of the said Libel this Respondent answers, That she believes the same to be true.

To the eighth Article of the said Libel this Respondent answers, That she believes the same to be true.

To the ninth Article of the said Libel, and to the Letters articulate, marked, N° 1, 2, 3, 4, 5, and 6, therein exhibited, this Respondent answers, That she believes the same to be true.

To the tenth, eleventh and twelfth Articles of the said Libel, and to the Ring exhibited in the said twelfth Article, this Respondent answers, and believes, That on or about the 10th Day of June articulate, the articulate *John Goole* came to the Respondent, at the House of the Respondent's Mother before-mentioned, and being with the Respondent, in the Parlour of the said House, he told the Respondent, that he had been at *Oxford*, and had there bought a Ring, and then put the same on the fourth Finger of the Respondent's Hand; and the said Ring being too big, he told the Respondent, he would have it made less; and a few Days afterwards he came again to the Respondent, at the said House, and being in the said Parlour, he put on the fourth Finger of her Left Hand a Ring, which she believes to be the same which is now shewn to her, and then with his Right Hand taking the Respondent by her Right Hand, expressed the Words mentioned in the said

eleventh Article ; and then letting go the Respondent's Right Hand, he said, My Dear, now you must take me by my Right Hand, which the Respondent accordingly did, and then he said to her, Say after me, and she the Respondent then repeated the Words mentioned in the said Article ; and he then saying, My Dear, I left out the Words [to Love, Honour, and to obey] the Respondent laughed, and made Answer in this, or the like Manner, Oh ! dear Sir, how came you to leave out those Words ? To which he replied, I don't know, but they should be in ; and the Respondent saying, So they should ; he again replied, Madam, you must begin again ; and she the Respondent with her Right Hand then taking him by his Right Hand, and he then saying the other Words articulate, she repeated them after him ; and he then holding the said Ring upon her said fourth Finger of her Left Hand, said, With this Ring I thee wed, with my Body I thee worship, and with all my Worldly Goods I thee endow, in the Name of the Father, of the Son, and of the Holy Ghost ; and he then took off the said Ring, and carried it away with him. And the Respondent denies, That by what passed between the Respondent, and the said *John Goole*, as predeposed, she then intended to marry him, or engage herself to him, but apprehended the same to be in jest, for that he the said *John Goole*, had before that time told the Respondent, that he could not marry her till she was of Age, and that whatever she wrote or said to him whilst she was under Age would signify nothing, or to that Effect ; and otherwise the Respondent does not believe, but denies, the said Articles, or either of them to be true in any Part thereof.

To

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To the thirteenth Article of the said Libel this Respondent answers, and believes the same to be true; saving, that she subscribed herself Spouse to the Letters articulate, at the Request of the articulate *John Goole*.

To the fourteenth Article of the said Libel, and to the Letters severally marked N° 7, 8, and 9, therein exhibited, this Respondent answers, and believes the same to be true.

To the fifteenth Article of the said Libel, and to the Letter articulate, marked N° 10, this Respondent answers, That she believes the same to be true.

To the sixteenth Article of the said Libel, this Respondent answers, That she believes the same to be true.

To the seventeenth and eighteen Articles of the said Libel, and to the Letter articulate, marked N° 11, this Respondent answers, That she believes the same to be true.

To the nineteenth Article of the said Libel this Respondent answers, That she believes the same to be true; saving, that she never was under the Confinement articulate, but at such Times as the articulate *John Goole* was at *Eynsham*.

To the twentieth Article of the said Libel, and to the Letters therein exhibited, severally marked N° 12, 13, 14, 15, 16, and 17, this Respondent answers, That she believes the same to be true.

To the twenty first Article of the said Libel this Respondent answers, That she believes the same to be true; saving, that she believes the Marriage articulate to be lawful, and not a Profanation of Marriage.

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To the twenty second Article of the said Libel this Respondent answers, That she believes the same to be true.

To the twenty third she answers, and believes what she hath believed, and denies what she hath denied.

*Margaret Boyce.*

*Responsa suprascripta capta  
fuere, 26 Julii, 1732.*

*Per me, J. BETTESWORTH.*

*Presente me, B. RUSHWORTH, Reg.*

*Sept. 27, 1732.*

*Upon a Libel and Exhibits by Rous, given  
in the 9th of May last.*

1. *J*ohn Penticros, of Eynsham in the County of Oxford, Yeoman, 49 Years old, to all the Articles of the said Libel, except the 3d, 4th, 10th, 11th, and 12th, saith, That this Deponent hath lived in the Parish of Eynsham in the County of Oxford, for many Years, and came to know the articulate Margaret Boyce, alias Hudson, by her going with her Mother, Mrs. Margaret Hall, to live in the said Parish several Years since. And he the Deponent lived very near the House of the said Mrs. Hall, and saith, That in an Evening, on or about the 5th Day of May, 1731, he, the Deponent, coming home to his said House, was told by his Wife, that Miss Hudson (meaning the said Margaret Boyce, alias Hudson) had been there to speak with the Deponent, and left Word, that the

the Deponent should go to her the next Morning, and thereupon he the Deponent the next Morning went to her at the House of her said Mother.

2. And she then gave the Deponent a Letter sealed up, and told him, that he must carry the same to Mr. *Goole*, (meaning the Producent) at *Witney*, which is about three Miles from *Eynsham*. And she also gave the Deponent a Shilling, and ordered him to hire a Horse to go thither. And he the Deponent told her, that he was obliged to go to *Oxford*, and that he would bespeak a Horse to be ready as soon as he came back, and she then told the Deponent, that the said Mr. *Goole* must have the said Letter that Afternoon. And he the Deponent then bespoke a Horse to be ready against he came back from *Oxford*; but when he came back to *Eynsham*, the Owner of the said Horse told the Deponent, that he had no occasion to go to *Witney*, for that the said Mr. *Goole* was just come to Town, and presently afterwards he the Deponent going to see for him, at a House where he usually dress'd himself before he went to Church, met him coming from the said House, and the Deponent then delivered the said Letter to him.

3. And a few Days afterwards she the said *Margaret* sent another Letter sealed up to the Producent by the Deponent, which the Deponent delivered to him, and between that Time and the End of *July* following she the said *Margaret* sent many more Letters by the Deponent to him the said Producent; and he the Deponent, at all such Times, carried and delivered the said Letters to him; and particularly remembers, that on or about the 23d and 25th of *July* 1731, he the De-

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s  
ponent carried the two last of the said Letters to him.

4. And he the Deponent once within the Time aforesaid accidentally meeting the Producent on Horseback in *Eynsham-Field*, he delivered a Letter to the Deponent, and ordered him to deliver the same to the said *Margaret*, and he the Deponent accordingly \* delivered the same to her, and then apprehended that the said Producent was going for *London*. And believes, that at other Times he carried a Letter or two from the said Producent to her the said *Margaret*. And he the Deponent always did and does believe, that the said Letters which the said *Margaret* delivered to the Deponent to carry to the said Producent, were of her own Hand-writing; and the Deponent knows that they the said *Margaret* and the Producent frequently met together privately, about Eleven of the Clock at Night, at the Orchard of her Mother, the aforesaid *Margaret Hall*. And he the Producent, at such Times, set up his Horse at the Deponent's House, and from thence went thro' the Deponent's Orchard, and from thence over a low Wall into the Orchard of the said Mrs. *Hall*, where the said *Margaret Boyce*, alias *Hudson*, used to meet him. And the Deponent hath seen them go out of the said Orchard into the Garden, and down the said Garden towards the House of the said Mrs. *Hall*.

5. And at one time she the said *Margaret* sent the Deponent to the said Producent, who was then at *Eynsham*, and ordered the Deponent to tell him, that she would meet him at the Deponent's House,

\* See Let. 10.

## A P P E N D I X. 39

between Eight and Nine in the Evening, and the Deponent went to him, and acquainted him with it, and he came to the Deponent's House at or near the Time appointed, and stayed there about or more than half an Hour, and then saying, that he believed she was gone to Bed, or that she could not come, he went away, and a very few Minutes afterwards, she the said *Margaret* came to the Deponent's said House, and the Deponent telling her, that he was just gone, she said, that she was very sorry for it, and expressed a Concern at her being disappointed.

6. And farther saith, That she the said *Margaret* sent several Letters by the Deponent to the said Producent, between the 10th Day of *June* 1731, and the 25th Day of *July* following; and a few Days after the Producent's delivering to the Deponent, in *Eynsham-Field*, the \* Letter before-mentioned (to wit) in the latter End of the said Month of *June* 1731 (as the Deponent believes the Time to be) she the said *Margaret* delivered to the Deponent a Letter, to be sent by the General Post, directed to *Thomas Martin, Esq;* at the *Grasshopper* in *Lombard-street, London*. And he the Deponent, by the Order of her the said *Margaret*, carried the said Letter to the General Post Office in *Oxford*, and delivered the same there. And the Deponent then apprehended, that the said Producent was at *London*, and believes that she sent him a Letter inclosed in the said Letter, directed to the said *Thomas Martin, Esq;*

7. And further saith, That some Days afterwards, upon the Producent's Return from *London*,

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\* See Let. 10.

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she the said *Margaret* delivered the Deponent a Letter sealed up, and ordered the Deponent to give the same to the said Producent at \* *Eynsham*, and the Deponent accordingly delivered the same to him there.

8. And towards the latter End of the Time of the Deponent's carrying Letters from the said *Margaret* to the Producent, she told the Deponent, that she could not come to the Deponent so freely, or so often, as she used to do. And the Deponent then believed, and it was talked by other People, that her Mother had discovered that there was a Correspondence between her and the Producent, and that thereupon her said Mother was more strict in watching her than she had been.

9. And the Deponent well remembers, that he carried one of the aforesaid Letters to the Producent at *Witney*, on the Day when the Visitation was held there, by Reason that the Deponent then dined with the Church-wardens of *Eynsham* there. And believes, that the same was *Friday* the 23d Day of *July* aforesaid.

10. And further faith, That at the Time when she delivered the last of the said Letters to the Deponent, which was on *Sunday* the 25th Day of the said Month, and *St. James's Day*, she told the Deponent, that she should want to speak with him some time on the *Thursday* following, but that she did not know at what Time of the Day she would come, and therefore ordered the Deponent to be at home all the said Day, and the Deponent accordingly staid at home all the said *Thursday*, believing that she would want him to go

\* See Let. 11.

with

## A P P E N D I X. 41

with her to the Producent at *Witney*, but the Deponent did not see her on the said Day, and was afterwards informed, that she was that Day married to the articulate *John Boyce*, Esq; and otherwise he knows not; saving he believes, that some of the Letters now shewn to him, are the same which he the Deponent carried from the said *Margaret Boyce* to the Producent the Times before-mentioned, by reason that the Impression upon the Wax wherewith the Covers marked, N° 1, 4, 7, and 8, were sealed, and wherein he believes some of the said Letters were inclosed, appears to be the same with the Seals of some of the said Letters delivered by her the said *Margaret* to the Deponent.

Sept. 27, 1732.

*Upon the same Libel and Exhibits.*

**T**HOMAS CONY, of *Swinbrooke*, in the County of *Oxford*, Clerk, 25 Years old and upwards, To the 9th, 14th, 15th, 18th, and 20th Articles of the said Libel, and to the Letters in the same Articles exhibited, saith, That this Deponent hath well known the articulate *Margaret Boyce*, alias *Hudson*, between five and six Years last past, and he the Deponent boarded in the House of the Producent Mr. *Goole*, at *Witney* in the County of *Oxford*, several Years; within which Time she the said *Margaret* lodged and boarded in the same House for about five Months, ending between four and five Years since. And he the Deponent many times saw her write within the said Time, and had in his keeping a Song and other Things which she the said *Margaret* transcribed for the

Depo-

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Deponent ; and he the Deponent thereby became acquainted with her Hand-writing ; and now carefully viewing the several Letters produced to him, and severally marked, N° 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17, faith, That he verily believes, that all the said Letters are the proper Hand-writing of her the said *Margaret Boyce*, alias *Hudson* ; and also believes, that the said *Margaret* sent the same to the said Producent, by reason that he the said Producent formerly shewed the Deponent several of them, and told the Deponent, that he had received the same from her the said *Margaret*, and he the Deponent then read over the same, and remembers the Contents thereof to be same with some of the said Letters now produced to him, and perused by him.

*Thomas Cony.*

NUMBER III.

*Interrogatories administered by Mr. GOOLE  
upon the First Allegation,*

Ask,

1st. Whether he or she comes to testify willingly and of his or her own Accord? Or, whether he or she has been compelled, obliged, or persuaded so to do? And by whom?

2d. Whether he or she has received, or does expect, any sort of Reward, Benefit or Advantage, for or by Reason of giving his or her Testimony in this Cause? And what it is? And from whom? And whether he or she has any Interest directly or indirectly in the Event of this Suit?

3d. Whe-

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3d. Whether he or she has had any Conversation or Discourse with any Person whatsoever, or any Person with him or her, concerning the Matters upon which he or she has been examined? With whom? Where? When? And how often? Hath he or she been instructed by any Person how or what he or she was to depose relating to this Cause? And let him or her declare by whom, where, and when, what, and how often?

4th. Whether he or she does believe, that Mr. *J. Boyce* did address himself, or make his Courtship, to Mrs. *M. Hudson*, the Defendant in this Cause, in the Year 1731, before the 24th of *July* in the said Year? And how long before? And whether he or she has heard, knows of, or believes, that any Proposals of Marriage were ever made on the Part of the said *John Boyce* to Mrs. *Hall*, the Mother of the said *M. Hudson*, in the said Year, before the 24th of *July*? And how long before?

5th. Whether he was present at the pretended Marriage of *J. Boyce* and *M. Hudson* aforesaid? and what other Persons were by? Their Names and Qualities? By whom was the said Miss *Hudson* given away in the said pretended Marriage? Was it not by a Livery-Man? Or at least a Servant? And whose Servant? Was not the Solemnization of this pretended Marriage made as private as possible? And by whose Orders? And for what Reason as he knows, believes, or has heard?

6th. Whether he or she has not heard, and does believe, that before the pretended Marriage between *J. Boyce* and *M. Hudson* aforesaid, and before any Proposals made on the Part of the said *J. Boyce*, in the said Year 1731, tending towards such pretended Marriage, the said *M. Hudson* was solemnly

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solemnly and indissolubly contracted, betrothed, and espoused to *J. Goole*, the Plaintiff in this Cause?

7th. Whether he or she knew Mrs. *Hall*? What Character she had? Of what Disorders she died? And what he or she believes to have been the Cause of such Disorder? and doth he or she believe, or has he or she heard, that the said Mrs. *Hall* did in her last Sickness declare, that she had greatly wronged, or wronged, Mr. *J. Goole*? That the said Mr. *J. Goole* was a Man of Honour; and that she had forced her Daughter to break her Contract with him and marry the said *J. Boyce*? Or that the said Mrs. *Hall* did use Words to the same Intent, Effect and Purpose?

8th. Whether he or she knows, believes, or has heard, that the said Mrs. *Hall* did compel or force the said *M. Hudson* to break her Contract (as far as in her lay) with the said *J. Goole*? And to solemnize a pretended Marriage with the said *John Boyce*? And what were the Methods used by the said Mrs. *Hall* in order to force her Daughter to the said pretended Marriage, as he or she knows, believes, or has heard?

9th. Whether he was present when the Licence for the pretended Marriage aforesaid was granted, and who was present besides? By what Ecclesiastical Judge or Surrogate was the same granted? What Oaths were administered? And to whom? Did one of the Parties to be married personally swear, that he believed there was no Let or Impediment of Precontract, as required by the 103d Canon? Or for what Reason was this omitted, as he knows or believes? Was there any Rasure or Obliteration in the Licence Bond? Was the Name of *Fifield Allen*, as one of the Obligors, erased, and instead thereof the Name  
of

of Sir *J. Boyce* inserted? By whom? By whose Directions? And for what Reasons was the Rasure or Obliteration made?

10th. Whether on or about the 26th of *July*, in the Year 1731, he did not ride Post from *London* to *Oxon* or *Barton*, in order to compass the pretended Marriage between his Son the said *J. Boyce*, and the said *M. Hudson*? And what was the true Reason of such his extraordinary Haste? Whether Mrs. *Hall* aforesaid, or any other Person, and who, had informed him by Letters, or Message, that the said *M. Hudson* was contracted, or engaged to, or had promised to marry the said *J. Goole*? And who such Person was? Whether after he came from *London*, and treated with the said Mrs. *Hall* concerning the said pretended Marriage, the said Mrs. *Hall* did not inform him, that her said Daughter had confessed to her, that she was contracted, or engaged to, or had promised to marry the said *J. Goole*? And whether he did not at the Time of such Treaty concerning the said pretended Marriage, know, believe, or had heard, that the said *J. Goole*, and the said *M. Hudson* were contracted or engaged to each other? And whether at the Time when the Licence for the said pretended Marriage was obtained, the said *M. Hudson* herself had given her Consent to the said pretended Marriage? And at what Time her Consent was obtained? What *M. Hudson's* Fortune is? And where it lies? What Settlement, *legal and valid in Law*, was made upon his Son and Miss *Hudson* before the said pretended Marriage? What Sir *J. Boyce* is worth exclusive of what is settled upon my Lady *Boyce*? And lastly, Whether all that Sir *J. Boyce* and his Son are worth, exclusive of what came by, or has been possessed,

on

on the Account of *M. Hudson*, is equal to Miss *Hudson's Fortune*?

*Elizabeth Kight, Midwife, aged above 50 Years, to the 7th Interrogatory, saith,*

That this Respondent well knew the interrogate Mrs. *Hall*, the Mother of the Producent [*Miss Hudson*] and has heard, that she was a very indifferent Wife, and that she used her Husband, Dr. *Hudson*, and the Producent ill [and I say Dr. *Hall* worse] and that she was miserably covetous, and did not allow the Producent what was necessary or proper; and that her Usage of the Producent was the Occasion of her keeping Company with the Ministrant [*J. Goole*] or to that Effect; and has heard and believes, that she died of a Fever, and that she was light-headed at the Time of her Death.

*Elizabeth Saunders, Maid-Servant to Sir John Boyce, to the 7th Interrogatory, saith,*

That this Respondent well knew the interrogate Mrs. *Hall*, and never heard any ill Character of her, and has heard, that she died distracted, and that in her last Illness some of her Discourse was concerning the Producent and Ministrant, or to that Effect.

*Fifield Allen, of Christ-Church, Oxon, Clerk, to the 2d Article of the said Allegation, saith,*

That this Deponent well knows the Producent Mrs. *Margaret Boyce*, the Wife of the articulate  
*John*

*John Boyce, Esq;*: That on or about the 29th Day of July, 1731, he the Deponent, being in the Orders of Priesthood, of the Church of England, married the said Producent and the said Mr. Boyce to each other, according to the Form and Ceremony of the Church of England, as prescribed in the Book of Common-Prayer, in the Parish-Church of Cowley, in the County of Oxford; and he the Deponent believes, that the said Mr. Boyce was then a Bachelor, and the Producent a Spinster, and that they were both of them then free from all Matrimonial Contracts, saving to each other.

*The same on Interrogatories.*

To the 4th, that this Respondent believes, that the interrogate Mr. Boyce made his Courtship and Addresses, in the Way of Marriage, to the Producent, several Months before the 24th Day of July, 1731; and otherwise he knows not nor remembers to have heard saving the Respondent; does not know, or believe, or remember, to have heard, that any Proposals of Marriage were made by or on the behalf of the said Mr. Boyce to the interrogate Mrs. Hall, the Mother of the Producent, before the said 24th of July, 1731.

To the 5th, that there were present at the Marriage interrogate, one Wasty a Farmer, and also a Mason, as the Respondent believes his Trade to be, his Fellow-Witness, Thomas Taylor, who is, or lately was, a Servant to Sir John Boyce, and the Parish Clerk of Cowley, and no other Person, as the Respondent does remember, and the said Thomas Taylor then gave the Producent in Marriage; and the Respondent believes, that it was the Order

or

or Desire of the said Sir *John Boyce*, that the said Marriage should be solemnized privately, and kept as a Secret, but for what Reason the Respondent knows not, other than that he is generally *close and secret* in all his Actions.

To the 6th he answers, that this Respondent since the Solemnization of the Marriage interrogate, hath heard, that before such Marriage, there was a Contract of Marriage between the Producent and the Ministrant.

To the 7th, that this Respondent well knew the interrogate Mrs. *Hall*, the Mother of the Producent, and hath heard, that she was a *close and covetous Woman*, reserved in her Temper, and shunn'd Company, and that she died of a Fever.

To the 9th, that this Respondent, and no other Person, was present when Mr. *Lamprey*, one of the Surrogates of the Chancellor of *Oxford*, granted the Licence for the Marriage interrogate; and he the Respondent then made Oath, that the Parents of the Producent, and the interrogate *John Boyce*, Esq; were consenting to the said Marriage; and that he did not know or believe, that there was any lawful Let or Impediment, by reason of any Precontract, or otherwise, to hinder the said Marriage, or to that Effect; and does not remember, that he this Respondent gave any Bond for the obtaining the said Licence, but believes, that there was a Bond prepared for him the Respondent to execute, and that it was *then thought most proper that Sir John Boyce should execute such Bond*, and that thereupon the Respondent's Name was struck out, and the Name of Sir *John Boyce inserted therein*; and does not believe, that either of the Parties interrogate made any Oath for the obtaining of the said Licence; but

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but the Reason why they, or one of them, did not make such Oath the Respondent knows not.

*Fifield Allen.*

Thomas Taylor, *lately Servant to Sir John Boyce,*

To the 5th Interrogatory saith, That the Producient, and the aforesaid *John Boyce, Esq;* were married by the aforesaid Mr. *Allen*, at the Time predeposed of, in the Presence of the Respondent and a working Carpenter, and the Parish Clerk, and no other Person, as the Respondent does now remember; and he the Respondent then gave the Producient in Marriage, and was then the Servant to Sir *John Boyce*, as predeposed, and wore his Livery, and believes that the said Marriage was intended to be private, and kept as a Secret, till it was over, and no longer.

To the 6th, That about three or four Days before the Marriage interrogate, as the Respondent believes the Time to be, *he heard the aforesaid Sir John Boyce say, that he had heard that there was a Contract between the Producient and the Ministrant, or to that Effect.*

*Thomas Taylor.*

*Sir John Boyce, on the Interrogatories,  
answers to the 4th,*

That the interrogate *John Boyce* did court the Producient in the Way of Marriage, in the Year 1731, before the 24th of July in the said Year,  
d and

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and from the 1st of Day of January before the said 24th of July.

To the 8th, He neither knows, nor believes, nor has heard any thing of it. [Believe him if you can.]

To the 9th, That this Respondent was not present at the obtaining the Licence for the Marriage interrogate, but believes, that the same was granted by one Mr. Lamprey, one of the Surrogates of the Chancellor of Oxford, and that Mr. Allen predeposed of in order to obtain the same, made Oath of the Consent of the Parents, and that he knew of no lawful Lett or Impediment to hinder the said Marriage, or to that Purpose; and also believes, that he the Respondent executed a Bond for the obtaining the said Licence, and delivered the same to the said Mr. Allen, and the Respondent does not remember, that there was any Razure or Obliteration in the said Bond; and the Respondent believes, that neither of the Parties interrogate, made any Oath whatsoever for the obtaining of the said Licence, by Reason that there was not any Necessity for them so to do (as the Respondent also believes). Who helped him to this Parenthesis?

To the 10th he answereth, That this Respondent never rode Post from London to Oxford or Barton, or any other Place whatsoever; and does not remember or believe that he was at London on or about the 26th of July 1731, and never made any extraordinary Haste from London to Oxford or Barton to compass the Marriage interrogate, or upon any other Occasion, saving his Business in the Way of his Trade; nor did he receive any Letter or Message from the interrogate Mrs. Hall,

or

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or any other Person, to inform him, that the Producent was contracted or engaged to, or had promised to marry the Ministrant; nor did the said Mrs. Hall ever inform him that the said Producent had confessed to her, that she was contracted, or engaged to, or had promised to marry the said Ministrant, nor did the Respondent, before the Marriage interrogate, know or believe, nor had he heard of any such Contract or Engagement; and faith, that the Producent had given her Consent to the said Marriage at and before the Time of obtaining the Licence interrogate, and (as the Respondent believes) *on or about the 14th or 15th of July 1731*, (to wit) about a Fortnight before the Solemnization of the said Marriage. And he the Respondent, before such Marriage, settled between 70 and 80*l. per Annum*, upon them the Producent and the Respondent's Son, and engag'd himself to lay out 600*l.* to buy a Parsonage for his said Son within two Years after the said Marriage; that the Mother of the Producent *gave* her between 70 and 80*l. per Annum*, in Consideration of the the said Marriage.

*John Boyce.*

## Mr. GOOLE's Answers to Miss HUDSON's First Allegation.

*The Personal Answers of the Rev. Mr. JOHN GOOLE, Clerk, made to certain pretended Articles, or Positions of a pretended Allegation, given in, and admitted against him, on the Part and Behalf of MARGARET HUDSON, calling herself BOYCE, the pretended Wife of JOHN BOYCE, Esq; follow, viz.*

1. To the first pretended Position or Article of the said pretended Allegation this Respondent answers and believes, That some time in the Year 1730, the articulate *John Boyce*, being then a Bachelor, and free from all Matrimonial Contracts, did make his Addresses to, and court, in the Way of Marriage, *Margaret Hudson*, the Party Proponent, then a Spinster, being a Minor, aged under twenty Years, and then free from all Matrimonial Contracts, and that his Addresses were then liked and approved of by her the said *Margaret Hudson*, but not by *Margaret Hall*, her natural and lawful Mother, with whom she then lived; but this Respondent doth not believe, that the said *John Boyce* made his Addresses to her the said *Margaret Hudson* until the 24th of July, in the Year 1731; and otherwise this Respondent doth not believe, but denies the said pretended Article to be true in any Part thereof.

2. To the second pretended Article of the said pretended Allegation this Respondent answers and believes,

believes, That the said *John Boyce*, being a Batchelor, did solemnize, or rather profane, a Marriage with the said *Margaret Hudson*, calling herself *Boyce*, on the said 29th Day of *July*, 1731, in the Parish Church of *Cowley*, in the County of *Oxford*, and that such Solemnization, or Prophanation, was performed by the Rev. Mr. *John Allen*, Student of *Christ Church College, Oxon*, a Minister or Priest in Holy Orders of the Church of *England*, and according to the Form of Marriage prescribed in the Book of Common-Prayer of the Church of *England*; but this Respondent denies, that the said *Margaret Hudson*, calling herself *Boyce*, was then free from all Matrimonial Contracts, but says, that she was at that time solemnly contracted to this Respondent *per verba de praesenti*, as pleaded and set forth in the Libel admitted in this Cause on the Part and Behalf of this Respondent; and otherwise this Respondent doth not believe, but denies the said pretended Article to be true in any Part thereof, saving, that he believes she solemnized, or rather profaned, the said pretended Marriage against her Inclination, being over-powered, and by Violence forced to it, by her Mother the said *Margaret Hall*.

3. To the third pretended Article of the said pretended Allegation this Respondent answers and believes, that after the said pretended Marriage, or Prophanation of a Marriage, between the said *John Boyce* and *Margaret Hudson*, calling herself *Boyce*, was solemnized, the same was consummated by Carnal Copulation and Mutual Cohabitation, but denies that they live together as, or are lawful Husband and Wife; and otherwise this Respondent doth not believe, but denies the

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said pretended Article to be true in any Part thereof.

4. To the fourth pretended Position or Article of the said pretended Allegation this Respondent answers and believes, That on or about the 14th Day of *May*, in this present Year 1732, the said *Margaret Hudson*, calling herself *Boyce*, was delivered of a Son, begotten on her Body by the said *John Boyce*, which is now living, and was shortly after his Birth christened *John*; and otherwise this Respondent doth not believe, but denies the said pretended Article to be true in any Part thereof, saving, that he believes the said *Margaret Hudson*, calling herself *Boyce*; is now again ensient and pretty far gone with Child, begotten on her Body by the said *John Boyce*.

5, 6, 7, 8. To the fifth, sixth, seventh, and eighth pretended Articles of the said pretended Allegation, and to the Exhibits pleaded and exhibited in the said eighth Article, this Respondent, referring himself to his foregoing Answers and to the said Exhibits, confesses the same to be true, and says, That all Things were so had and done at the Times as in the said several Articles and Exhibits are alledged and appear; and that the said Sum of 200*l.* articulate, and also the Sum of 6*l.* 16*s.* 2*d.* for Costs, were paid to the articulate *Thomas Leake*, this Respondent's Attorney, *per his Order*, and for his Use, as articulate to discharge the said Action only, but denies the said *John Boyce* and *Margaret Hudson*, calling herself *Boyce*, to be lawful Husband and Wife; and this Respondent says, That after the said Receipt was given by the said *Thomas Leake*, this Respondent's Attorney, it was agreed with the arti-

articulate Mr. *John Boyce*, by Dr. *Brooks*, on the Behalf of this Respondent, to have the Opinion of Council, Whether an absolute Contract *de praesenti* of Marriage, where one of the Parties contracted married another Person, could be released, and accordingly a Case was drawn, and at the Request and Expence of the said *John Boyce* carried to Council for their Opinions upon it, and the Council upon the Case, as stated by the said *John Boyce*, gave their Opinions, That such a Contract could not be released, which Opinions the said *John Boyce* himself shewed to this Respondent, and thereupon he, this Respondent, thought himself in Honour and Conscience obliged to, and therefore did, bring this Suit against the said *Margaret Hudson*, calling herself *Boyce*.

N. B. My Answers to Miss *Hudson's* Allegations, there being nothing in them to be found fault with, or to Miss *Hudson's* Advantage, were not read upon the Trial, and for that Reason the Judge knew nothing of them.

*The Personal Answers of the Rev. JOHN GOOLE, Clerk, to Miss HUDSON's Second Allegation.*

1. To the first Article of the said Allegation this Respondent answers, and believes the same to be true in every Part thereof, saving, that the said *Margaret Hall* and *Margaret Hudson* were every Winter for some Months absent from *Eynsham*.

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2. To the second Article this Respondent answers, and believes the same to be true in every Part. [*This Article sets forth, that Miss Hudson was an obedient Daughter.*]

3. To the third Article of the said Allegation this Respondent answers, That during the Time articulate he was a married Man, and till the 2d Day of November, 1729; and says, That at Easter, 1730, he, without the Knowledge of the articulate *Margaret Hall*, did court and make his Addresses to her the said *Margaret Hudson*, who was then a Minor, about 19 Years, as this Respondent then did, and still does believe, and that he this Respondent, by reason of a little Slight put upon him the 29th of May, 1730, by the said *Margaret Hudson*, discontinued such his Addresses and Courtship till on or about Good-Friday in the Year 1731; and this Respondent believes the said *Margaret Hall* never knew that he courted her Daughter till in or about the Month of May 1731; and that when the said Courtship came to her Knowledge she disapproved thereof, not thinking the Respondent a suitable Match for her Daughter; but the Respondent denies, that she ever forbid him from coming to her House, or from seeing or visiting her said Daughter; and says, that he was born the 25th of June, 1685, and never concealed his Age from the said *Margaret Hudson*, or pretended that his Fortune was equal to hers.

4. To the fourth Article of the said Allegation this Respondent says, That he did, by the Appointment, and at the Request of the said *Margaret Hudson*, meet her several times at unseasonable Hours in the Night, in June 1731, and believes

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lieves it was contrary to the said *Margaret Hall's* Liking and Inclinations, and without her Knowledge; and this Respondent doth not believe the said *Margaret Hall* had a due Regard, Value, or Motherly Affection for her Daughter the said *Margaret Hudson*, because the said *Margaret Hudson* complained to this Respondent of her Mother's ill Usage of her, whereupon this Respondent did represent the mean and base Actions of her said Mother to her, in order to give her an Abhorrence of the like, and to instil into her a Regard for her Honour and Reputation; and this Respondent confesseth, that upon the said *Margaret Hudson's* complaining to him of her Mother's ill Usage, as aforesaid, he did propose to her to chuse him her Guardian, and to leave her Mother's House privately.

5. To the fifth Article of the said Allegation, and to the Exhibit marked (A) therein pleaded and exhibited this Respondent answers and confesses, that the said Letter is all his own proper Hand-writing, and says it was sent by him in a Letter to the said *Margaret Hudson*, about the Time articulate; and he this Respondent in the Letter he then sent to her, told her he did not send the said Exhibit, marked (A) to her for to copy or to transcribe the same, but only to furnish her with some Thoughts that might not otherwise occur to her, towards a Letter he advised her to write and leave for her Mother when she went away; and this Respondent believes the Words, Dear Mamma, do mean and intend the said *Margaret Hall*, Mother of the said *Margaret Hudson*, calling herself *Boyce*, and that by the Words certain Gentleman of Honour and Honesty, mentioned

tioned in the same Draught, was meant and intended him this Respondent.

6. To the sixth Article of the said Allegation this Respondent answers and denies, That he commenced this Suit for the Sake and Expectation of Lucre and Gain only, or to induce and prevail upon the said *Margaret Hudson*, or *John Boyce*, her pretended Husband, to advance him any Sum of Money by Way of Satisfaction of the Contract pleaded in this Cause; but this Respondent confesses, that in the Month of *October*, 1731, he not having fully enquired into the Nature of the Contract in Question, or into the Law in relation to the same, did propose, that in case the said *Margaret Hudson*, or the said *John Boyce*, her pretended Husband, would pay him this Respondent 300 Guineas, he would give her a Release, and quit all his Pretensions to the said Contract of Marriage with the said *Margaret Hudson*, pleaded on his Behalf, which Propofal he then thought lawful for him to make; and this Respondent further says, that after he had seen the Opinion of Council, that it could not be done by Law, and that Persons contracted in this Manner were not at Liberty to release one another from the said Contract, which was before he commenced this Suit, he then thought it to be his Duty to bring this Matter before a proper Court, in order to have a Judicial Determination of the Validity of the said Contract, according to the Laws and Statutes of this Kingdom. And it was with this View, and no other, that the Respondent commenced the present Suit.

7. To the seventh pretended Position or Article of the said pretended Allegation, and to the Letters

## A P P E N D I X. 59

ters and Exhibits therein mentioned, this Respondent answers, and believes the same to be true.

8. To the eighth Article of the said Allegation this Respondent answers and believes, That Sir *John Boyce*, Knt. Father of the articulate *John Boyce*, Esq; thinking the Proposals mentioned and contained in the aforementioned Letter very unreasonable, did not comply therewith in any Respect, on which, according to the Request of the said Mr. *Thomas Snell*, mentioned in the said Cover or Envelope, the said original Letter, which was all wrote by and with the proper Hand-writing of the Respondent, with his Proposals, were shortly after the Receipt thereof returned by the said Sir *John Boyce* to the said *Thomas Snell*, who burnt the same in the Presence of the said Sir *John Boyce*, as he hath heard and verily believes; but this Respondent doth not believe, that *John Boyce*, Esq; Son of the said Sir *John Boyce*, thought the Proposals mentioned in the aforesaid Letter unreasonable, but believes, that he pressed his Father to comply with them.

9, 10. To the ninth and tenth Articles of the said Allegation, and to the Exhibits marked (B) and (C) therein pleaded and exhibited, this Respondent answers and believes the said Articles and Exhibits to be true in every Part of them.

*The*

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NUMBER IV.

*The ninth Article of Miss HUDSON's second Allegation.*

That during the time the said Sir *John Boyce* had the Custody of the said original Letter of the said *John Goole*, mentioned to be since burnt or destroyed by the said *Thomas Snell*, in the foregoing Article, he caused a Copy of the same to be made by Mr. *James Hall*, an Attorney at Law, who after he had so copied the same, *viz.* on or about the 22d Day of *October*, 1731, compared and examined the same with the Original, and finding it to agree therewith, in Testimony of its being such true Copy, set his Name thereto.

*Art. 10. Item,* That for Supply of Proof of the Premises, the Party Proponent doth exhibit and hereunto annex the said Copy of the said *John Goole's* original Letter, &c.

*Mr. Snell, Vicar of Bampton, to the 2d Interrogatory upon the 2d Allegation, this Respondent answers,*

That he believes he saw a \* Case drawn up to the Effect interrogate, and that the Letters (A) (B) (C) (D) (E) and (F) were made use of in the stating the same, and hath heard and believes that the same was by the mutual Consent and

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\* The Case advised upon.

Agree-

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Agreement of the Ministrant and the interrogate *John Boyce*, Esq; sent to London in order to have the Opinion of Council thereupon; and he the Respondent afterwards saw the Opinion of two Persons upon the said Case, which to the best of his Remembrance was, that the Contract, as stated in the said Case was binding; and believes, that by the Letters (A) (B) was meant the Producent, by the Letters (C) (D) the Ministrant, and by the Letters (E) (F) the said *John Boyce*, Esq; and this Respondent, referring himself to what he has before depos'd, cannot otherwise answer to this Interrogatory.

To the 6th, this Respondent answers and believes, That at or about the Time interrogate, he the Respondent, by the Desire of Sir *John Boyce*, went to the Ministrant, in order to treat with him about an Accommodation concerning the Contract pleaded in this Cause; and believes, that he the said Mr. *Goole* then told the Respondent, that *he believed he should be obliged to part Mr. Boyce and Miss Hudson*; and believes, that he the said Mr. *Goole* once told the Respondent, that he and the Producent were contracted and engaged to each other by the Office of the Church, or to that Effect.

To the 8th, this Respondent believes, that Sir *John Boyce did promise* the Respondent, that nothing imparted by the Ministrant to the Respondent should be brought in Evidence, and that he the Respondent should not be a Witness.

To the 9th, this Respondent has heard, that the interrogate Mrs. *Hall* was a penurious Woman, and some People gave her the Character of a Scold.

*Thomas Snell.*  
*Sir*

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*Sir John Boyce, to the 6th, 7th, 8th, 9th,  
and 10th Articles of the said Allegation,  
faith,*

That, for Reasons hereafter set forth, he verily believes, that the articulate *John Goole*, Clerk, hath commenced this Cause for the sake of Lucre and Gain only.

*Sir John Boyce on Interrogatories.*

To the 2d, this Respondent answers, That he does not believe that any such Case, as is mentioned in the Interrogatory, was, by Consent and Agreement of the interrogate Mr. *Boyce* and the Ministrant, drawn up and sent to Dr. *Paul* and Dr. *Strahan* for their Opinions, but has heard, that the said Ministrant had reported, that he had obtained an Opinion from Council relating to the Contract pleaded in this Cause; but what such Opinion was, the Respondent cannot recollect; and whether or no the said Ministrant made any Proposals, or consented to any that were made to him concerning the giving the Producent a Release after he had obtained the said Opinion, the Respondent knows not, and faith, that he made no such Proposals to the Respondent since the sending the said Letter to Mr. *Snell*, which he the said Mr. *Snell* sent to the Respondent, as before depos'd; and farther, or otherwise, this Respondent cannot answer to this Interrogatory.

To the 5th, this Respondent does not remember or believe, That the interrogate *John Boyce*, Esq; ever

ever proposed to the Ministrant the getting of an Act of Parliament to confirm his Marriage with the Producent.

To the 8th, this Respondent does not remember, Whether or no he ever promised the interrogate Mr. *Snell*, that nothing imparted by the Ministrant to him the said Mr. *Snell* should ever be brought in Evidence, but saith, that at the Time when the said Mr. *Snell* burnt the Letter before deposited of, the Respondent told him, that he hoped he would remember the Contents of it; to which the said Mr. *Snell* replied, that he hoped the Respondent would not give him any Trouble, or make him a Witness, or to that Effect; and the Respondent told him he would not if he could help it, or to that Purpose: That he never heard any Body speak ill of the interrogate Mrs. *Hall*, except the Ministrant, and she appeared to be upon all Occasions, and was, as the Respondent believes, a very kind Mother to the Producent, and had, as he also believes, a due Regard to her own and her Daughter's Honour and Reputation.

*John Boyce.*

### Fifield Allen on Interrogatories.

To the 2d Interrogatory, this Respondent answers, That he hath heard and believes, that a Case was drawn up to the Effect interrogate, and that the same was stated between *A. B.* (*C. D.*) and *(E. F.)* and that the same was sent to *London*, and the Opinion of Council taken thereupon, and believes, that he saw the said Opinion; and that the Council who gave the same were of Op-

nion, that a Contract, as articulate, was indissoluble; and believes, that by (*A. B.*) was meant the Producent *Margaret Boyce*, alias *Hudson*, by (*C. D.*) the articulate *John Goole*, and by (*E. F.*) the articulate *John Boyce*: And the Respondent hath heard and believes, that the said *John Goole* has made Proposals concerning the giving a Release to the said Producent from the Contract pleaded in this Cause; but whether such Proposals were made before or after the said Opinion was obtained, the Respondent knows not.

To the 7th, this Respondent answers, That he believes, that the Ministrant, at or about the Time interrogate (to wit) after the Producent was married to Mr. *Boyce*, told the Respondent, that *he and the said Producent were contracted or engaged to each other by the Office of the Church*, or to that Effect.

To the 9th, That the interrogate Mrs. *Hall* had the Character of a close penurious Woman, and believes, that she was no otherwise unkind to her Daughter, than in not letting her be dressed so fine as she expected or desired; and believes, that she had the same Regard to her own and her Daughter's Honour and Reputation as other Mothers usually have; and otherwise this Respondent cannot answer to this Interrogatory.

*Fifield Allen.*

*Dr.*

## Dr. HUDSON's WILL.

**I**n the Name of God. Amen.

The Twenty-seventh of September, in the Year of our Lord 1719, I John Hudson, of the University of Oxon, Doctor in Divinity, being indisposed in Body, but of perfect Mind and Memory (Thanks be given to Almighty God for the same) but calling to Mind the Mortality of my Body, and knowing that it is appointed for all Men once to die, do make this my last Will and Testament, and do revoke all former Wills by me made. And first and principally, I recommend my Soul unto God who gave it, and my Body to the Earth, to be decently buried. And for my worldly Estate which God has blessed me with, I dispose thereof as followeth: *Imprimis*, I confirm the Settlement made on my Wife upon our Marriage. *Item*, I give to my beloved Daughter, Margaret, all my Goods, Chattles, and Personal Estate, not before settled, or otherwise hereby disposed of, after my Debts, Legacies, and Funeral Expences shall be discharged. And I do intreat and appoint my Brother-in-Law, Mr. Robert Harrison, and Mr. Spynall of Pantersbury, to be Overseers and Trustees of this my Will for the Management of my Daughter's Fortune, and to be Assistant to my Wife therein, and I give them Five Pounds a-piece for their Trouble. *Item*, I give to the Poor of St. Mary's Parish where I live, and to St. Peter's in the East, Forty Shillings to be laid out in Bread. *Item*, I give to my Wife, during her

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Life,

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Life, my Freehold Tenement and Land lately purchased, lying in *Horsepath*, in the County of *Oxon*, and after her Death to my Daughter and her Heirs. Also I give to my said Wife [not dear or loving Wife] the Plate, most of which came by her Friends; and I give her the Use of the Goods and Furniture of my House, as Linen, Brads, Pewter, Bedding, and other Instruments, for her Life, and afterwards I give the same to my said Daughter; and I make my Wife sole Executrix hereof. And to which I have hereto set my Hand and Seal the Day and Year above-said.

*John Hudson.*

*Signed, sealed, published and  
declared, by the said John  
Hudson, to be his last Will  
and Testament, in the Pre-  
sence of us who wrote our  
Names hereto in his Pre-  
sence,*

John Taylor,  
Charles Keene,  
Richard Dodwell.

*CANON*

## C A N O N C V.

Forasmuch as Matrimonial Causes have been always reckoned and reputed amongst the weightiest, and therefore require the greater Caution when they come to be handled and debated in Judgment, especially in Causes wherein Matrimony, having been in the Church duly solemnized, is required upon any Suggestion or Pretext whatsoever to be dissolved or annulled; we do straitly charge and enjoin, that in all Proceedings to Divorce and Nullities, good Circumspection and Advice be used; and that the Truth may (as far as is possible) be sifted out by the Deposition of Witnesses, and other lawful Proofs and Evictions, and that Credit be not given to the *sole* Confession of the Parties themselves, howsoever taken upon Oath, either within or without the Court.

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ERRATA in the CONTRACT VIOLATED.

Page 25, l. 9, read raised. p. 27, l. 16, r. to be easy,  
and all will soon be well.

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F I N I S.



